

Joint Standing Committee on Business and Economic Development

LD 32

An Act to Grandfather Ambulance Attendants from Additional Rulemaking

PUBLIC 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY NASS	OTP-AM	S-15

LD 32 proposed to grandfather ambulance attendants under licensing provisions in effect on September 30, 1996. Ambulance attendants that were grandfathered would not be subject to rules affecting the licensing of ambulance attendants after September 1, 1996.

Committee Amendment "A" (S-15) proposed to change the retroactivity date for the grandfathering of ambulance attendants to August 30, 1996.

Enacted law summary

Public Law 1997, chapter 26 allows ambulance attendants to be grandfathered under licensing provisions in effect on August 30, 1996.

LD 114

An Act to Amend the Unclaimed Property Act

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO SMALL	ONTP	

LD 114 proposed to amend the Unclaimed Property Act as follows.

1. It proposed to reduce the general presumption of abandonment from five years to two years.
2. It proposed to specifically reduce for gift certificates and credit memos the presumption from five years to two years as well as require all issuers of gift certificates to keep records of purchasers and their addresses.
3. It proposed to require holders of abandoned property to report the names and addresses of last known owners whose property they retained with a value over \$200. Currently that requirement is attached for property with a value of \$25.
4. It proposed to raise the threshold for the ability to report, in the aggregate, held property with individual values of under \$200 rather than the current \$25.
5. It proposed to require the administrator to prove that unclaimed property is being held by a holder before the administrator may fine the holder or business for not reporting. Currently, the administrator fines people, even

if they do not hold abandoned property, for not reporting since the administrator presumes certain businesses must hold abandoned property.

6. It proposed to reduce from ten years to six years the length of time a business must maintain records. This time period would equal the general statute of limitations.

LD 165

**An Act to Clarify the Right of Campground Owners To Evict or
Deny Accommodations to Problem Guests**

**PUBLIC 59
EMERGENCY**

Sponsor(s)
KILKELLY

Committee Report
OTP-AM

Amendments Adopted
S-16

LD 165 proposed to give the owner of a campground the authority to refuse or deny accommodations or eject guests from a campground for the following reasons:

1. If the person was unwilling or unable to pay;
2. If the person was a minor;
3. If the person brought in property that was dangerous to others;
4. If allowing a person to stay caused the campground owner to exceed the limit on occupants; or
5. If the person violated any rules or endangered others.

Committee Amendment "A" (S-16) proposed to permit a campground owner to deny accommodations to any person who violated any rule of the campground that was posted in a conspicuous manner at the guest registration desk and at the campground site. This amendment proposed to eliminate the requirement that the rules be posted at each campground site.

Enacted law summary

Public Law 1997, chapter 59 gives the owner of a campground the authority to refuse or deny accommodations or eject guests from a campground for the following reasons:

1. If the person is unwilling or unable to pay;
2. If the person is a minor;
3. If the person brings in property that is dangerous to others;
4. If allowing a person to stay causes the campground owner to exceed the limit on occupants; or
5. If the person violates any rules or endangers others. The rules of the campground must be posted in a conspicuous manner at the guest registration desk.

Chapter 59 was enacted as an emergency measure effective March 28, 1997.

LD 170**An Act to Allow Members of Cooperatives to Vote by Proxy****PUBLIC 7**

Sponsor(s)
CAREY

Committee Report
OTP

Amendments Adopted

LD 170 proposed to remove the prohibition on members of cooperatives voting by proxy. The bill proposed to allow a cooperative to prohibit voting by proxy in the articles of incorporation or bylaws. If a cooperative did not prohibit voting by proxy in its articles of incorporation or bylaws, members of the cooperative could vote by proxy.

Enacted law summary

Public Law 1997, chapter 7 removes the prohibition on members of cooperatives voting by proxy. P.L. Chapter 7 allows a cooperative to prohibit voting by proxy in the articles of incorporation or bylaws. If a cooperative does not prohibit voting by proxy in its articles of incorporation or bylaws, members of the cooperative may vote by proxy.

LD 184**An Act to Decrease the Time Period Allowed for the Rescission of a Time-share Contract****PUBLIC 83**

Sponsor(s)
HALL

Committee Report
OTP-AM MAJ
OTP MIN

Amendments Adopted
S-60

LD 184 proposed to decrease the time period allowed for the rescission of a time-share contract from 15 days to seven days.

Committee Amendment "A" (S-60) proposed to increase the time period allowed for rescission as proposed by the bill from seven days to 10 calendar days.

Enacted law summary

Public Law 1997, chapter 83 decreases the time period allowed for the rescission of a time-share contract from 15 days to 10 calendar days.

LD 204**Resolve, to Authorize the Electricians' Examining Board to Study the Need for Continuing Education Among Helper Electricians****RESOLVE 16**

Sponsor(s)
HATCH

Committee Report
OTP-AM

Amendments Adopted
H-142

LD 204 proposed to amend the laws governing electricians as follows:

1. It would have deleted the designation "helper electrician" and eliminated references to helper electricians.
2. It would have changed reference from "inside electrician" to "inside journeyman wireman electrician."

Committee Amendment "A" (H-142) proposed to replace the bill with a resolve directing the Electricians' Examining Board to study the issue of continuing education for helper electricians. The Electricians' Examining Board would report back to the Joint Standing Committee on Business and Economic Development by November 15, 1997.

Enacted law summary

Resolve 1997, chapter 16 directs the Electricians' Examining Board to study the issue of continuing education for helper electricians. The Electricians' Examining Board is to report back to the Joint Standing Committee on Business and Economic Development by November 15, 1997 with its findings and recommendations.

LD 217

**An Act to Amend the Optometry Licensing Laws and to Allow
Maine Citizens to Fill Contact Lens Prescriptions through the Mail**

PUBLIC 117

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM MAJ ONTP MIN	S-82

LD 217 proposed to allow a person to fill a contact lens prescription by mail.

Committee Amendment "A" (S-82) proposed to replace the bill. The bill removed the prohibition against filling contact lens prescriptions by mail. This amendment proposed to retain that provision and would also require mail order contact lens suppliers to register with the Board of Commissioners of the Profession of Pharmacy and comply with certain requirements. The amendment would restrict the expiration dates of contact lens prescriptions to 24 months from the date of issue and require record retention for all contact lens prescriptions filled for five years. The amendment would also remove the provision in the Board of Optometry's laws that requires all therapeutic licensees to upgrade their licenses to an advanced therapeutic license.

Enacted law summary

Public Law 1997, chapter 117 removes the prohibition against filling contact lens prescriptions by mail. Mail order contact lens suppliers are required to be registered with the Board of Commissioners of the Profession of Pharmacy and comply with certain requirements in order to register. Chapter 117 restricts the expiration dates of contact lens prescriptions to 24 months from the date of issue and requires record retention for all contact lens prescriptions filled for five years. Finally, the provision in the Board of Optometry's laws that requires all therapeutic licensees to upgrade their licenses to an advanced therapeutic license is removed.

Sponsor(s)
MICHAUD
KERRCommittee Report
OTP-AMAmendments Adopted
S-59

LD 266 proposed to amend Maine law to make it consistent with federal law governing fair housing for older persons by removing language that referred to federal requirements for significant facilities and services that are no longer in existence.

Committee Amendment "A" (S-59) proposed to delete a reference to regulations adopted by the United States Department of Housing and Urban Development to be consistent with the removal of the language requiring significant facilities and services as defined by HUD regulation in the bill.

Enacted law summary

Public Law 1997, chapter 85 amends Maine law to make it consistent with federal law governing fair housing for older persons by removing language that refers to federal requirements for significant facilities and services that are no longer in existence.

Sponsor(s)
VIGUE
JENKINSCommittee Report
OTPAmendments Adopted

LD 285 proposed to repeal the statutory authority of the Task Force on Defense Realignment and the Economy. The Task Force on Defense Realignment and the Economy was created in 1991 to monitor reductions in federal defense spending and military base realignments, coordinate statewide responses to these reductions and develop a plan to reduce the State's defense dependency. The legislative charge of the task force has been met and no further military base closures are anticipated, the continuation of the task force is no longer necessary nor desirable.

Enacted law summary

Public Law 1997, chapter 15 repeals the statutory authority for the Task Force on Defense Realignment and the Economy. The task force was created in 1991 to monitor reductions in federal defense spending and military base realignments, coordinate statewide responses to these reductions and develop a plan to reduce the State's defense dependency. As the legislative charge of the task force has been met and no further military base closures are anticipated, the continuation of the task force is no longer necessary nor desirable.

LD 330**Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Microenterprise Needs****RESOLVE 23**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH	OTP MAJ	
MILLS	ONTP MIN	

LD 330 proposed to require the Department of Economic and Community Development to report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters by October 1, 1997 on the needs of entrepreneurship in the State, microloans, microenterprise and small business needs.

Enacted law summary

Resolve 1997, chapter 23 requires the Department of Economic and Community Development to report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters by October 1, 1997 on the needs of entrepreneurship in the State, microloans, microenterprise and small business needs.

LD 390**An Act Requiring Masonry Work to Comply with State and Local Building and Fire Codes****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	ONTP	

LD 390 proposed to require that masonry work comply with applicable state and local building and fire codes. The committee acknowledged the safety concerns brought forward by the bill and assigned a subcommittee to address the issue. The subcommittee discussed existing requirements for chimney and fireplace installation and the need for additional state laws versus education on National Fire Protection Association code requirements. Under current law, 25 MRSA §2465, no person may install any vent or solid fuel burning appliance unless in accordance with the National Fire Protection Association Code #211, "The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances." The consensus was that by raising awareness and educating the individuals doing installations promotion of professionalism and accountability of the profession would grow. An agreement was reached that rather than pass a law, a more effective means of addressing this education issue would be to offer a seminar. The seminar would be a joint effort between the Department of Public Safety and the Department of Professional and Financial Regulation with assistance from the State Fire Marshall's Office to be scheduled for the fall of 1997.

LD 421**An Act to Grandfather Certain Practicing Naturopathic Doctors****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND	ONTP	

LD 421 proposed to create an exception to a licensing requirement for naturopathic doctors. If practicing naturopathic doctors had begun their practice before the board-approved basic sciences exam was developed, they would be exempt from the basic sciences exam requirement.

LD 426

An Act to Amend the Employee Leasing Company Registration Process

PUBLIC 29

<u>Sponsor(s)</u> CATHCART		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 426 proposed to make technical corrections to the employee leasing laws enacted in the Second Regular Session of the 117th Legislature. The intent of those laws was to have the registration performed at the Department of Professional and Financial Regulation, not the Department of Labor.

Enacted law summary

Public Law 1997, chapter 29 makes technical corrections to the employee leasing laws enacted in the Second Regular Session of the 117th Legislature. The intent of those laws was to have the registration performed at the Department of Professional and Financial Regulation, not the Department of Labor.

LD 481

An Act to Regulate Body Piercing

PUBLIC 206

<u>Sponsor(s)</u> KERR		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-215
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LD 481 proposed to direct the Department of Human Services to establish sterilization, sanitation and safety standards for persons engaged in the business of body piercing. The bill would have required practitioners of body piercing to be registered with the municipality in which they practiced. The bill proposed to require local health officers to annually inspect locations where body piercing was practiced.

In addition, the bill proposed to establish a task force to recommend legislation to regulate body piercing.

Committee Amendment "A" (H-215) replaced the bill and proposed to direct the Department of Human Services to establish sterilization, sanitation and safety standards and necessary rules to regulate the art of body piercing. This amendment would require persons practicing body piercing to be licensed by the department beginning January 1, 1998. The license to practice would be renewed annually for a fee not to exceed \$75. For those persons practicing both body piercing and tattooing, the renewal fee would not to exceed \$100. The renewal fee would include costs for an annual inspection of the body piercing establishment by department sanitarians.

This amendment would also prohibit body piercers from performing body piercing on a minor unless parental consent had been obtained. The prohibition for minors would not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. The amendment would establish a civil violation as the penalty for nonadherence to chapter requirements.

Enacted law summary

Public Law 1997, chapter 206 directs the Department of Human Services to establish sterilization, sanitation and safety standards and necessary rules to regulate the art of body piercing. Persons practicing body piercing are to be licensed by the department beginning January 1, 1998. The license to practice is to be renewed annually for a fee not to exceed \$75. For those persons practicing both body piercing and tattooing, the renewal fee is not to exceed \$100. The renewal fee includes costs for an annual inspection of the body piercing establishment by department sanitarians.

Body piercers are prohibited from performing body piercing on a minor unless parental consent has been obtained. The prohibition on piercing minors does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. Nonadherence to chapter requirements is a civil violation.

LD 508

An Act to Increase the Certification Fee Cap for the Board of Geologists and Soil Scientists

PUBLIC 141

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE	OTP-AM MAJ ONTP MIN	H-130

LD 508 proposed to increase the cap for initial and renewal fees for certification as a geologist or soil scientist in order to outsource the geologist exam. The bill proposed an increase in certification fees of \$15 from \$65 per year to \$80 per year.

Committee Amendment "A" (H-130) adds an allocation and a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 141 increases the cap for initial and renewal fees for certification as a geologist or soil scientist in order to outsource the geologist exam. Certification fees will increase \$15 from \$65 per year to \$80 per year.

LD 539

An Act to Clarify the Laws Regarding the Board of Licensure in Medicine and Ensure That Physician Discipline Is Reported to the Appropriate Licensing Board

PUBLIC 271

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE LONGLEY	OTP-AM	H-359

LD 539 proposed to amend the Maine Revised Statutes, Title 24, chapter 21, the Maine Health Security Act, to include health maintenance organizations, preferred provider arrangements and similar organizations as entities that must report practitioner discipline related to clinical competence or unprofessional conduct.

The bill also proposed to amend Title 32, chapter 48, the laws regarding the Board of Licensure in Medicine, to clarify that physician assistants are licensed to practice and are registered with the board, under a supervisory physician. The bill also clarified the board's authority to require licensees to submit to mental or physical examination.

Committee Amendment "A" (H-359) proposed to replace the bill and enact new language to clarify concerns on various sections. This amendment proposed to amend the Maine Revised Statutes, Title 5, section 9057, subsection 6 to apply the procedures for handling confidential information in administrative hearings to information provided to the boards of medicine and osteopathic licensure pursuant to Title 24, section 2506.

This amendment proposed to amend the Maine Health Security Act to include health maintenance organizations, preferred provider arrangements and similar organizations as entities that must report practitioner discipline related to clinical competence or unprofessional conduct and to apply the immunities provided by the Maine Health Security Act to these organizations. This amendment clarified when a report pursuant to the Maine Health Security Act must be made to the Board of Licensure in Medicine and the Board of Osteopathic Licensure and what information related to the report must be provided to the boards.

This amendment changed the licensure of the physician assistants under the supervision of the Board of Osteopathic Licensure from annual to biennial.

This amendment clarified that the exemption from discovery does not apply to information that must be reported to the boards pursuant to Title 24, section 2506. This amendment applied only to the Board of Licensure in Medicine and the Board of Osteopathic Licensure and the materials protected by Title 32, section 2599 and section 3296 remain confidential for all other purposes.

This amendment clarified that physician assistants are licensed to practice and are registered with the Board of Licensure in Medicine under a supervisory physician. This amendment also clarified the board's authority to require licensees to submit to mental or physical examination.

Enacted law summary

Public Law 1997, chapter 271, amends Title 5, section 9057, subsection 6 to apply the procedures for handling confidential information in administrative hearings to information provided to the boards of medicine and osteopathic licensure pursuant to Title 24, section 2506. The exemption from discovery does not apply to information that must be reported to the boards pursuant to Title 24, section 2506.

Public Law 1997, chapter 271 also amends the Maine Health Security Act to include health maintenance organizations, preferred provider arrangements and similar organizations as entities that must report practitioner discipline related to clinical competence or unprofessional conduct and to apply the immunities provided by the Maine Health Security Act to these organizations. Clarification is made as to when a report pursuant to the Maine Health Security Act must be made to the Board of Licensure in Medicine and the Board of Osteopathic Licensure and what information related to the report must be provided to the boards.

Licensure of the physician assistants under the supervision of the Board of Osteopathic Licensure is changed from annual to biennial.

Clarification is made that physician assistants are licensed to practice and are registered with the Board of Licensure in Medicine under a supervisory physician. PL c. 539 also clarifies the board's authority to require licensees to submit to mental or physical examination.

LD 541**An Act to Amend the Laws Regarding the Licensure of Hearing Aid Dealers and Fitters****PUBLIC 156**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP-AM MAJ ONTP MIN	H-196

LD 541 proposed to amend the Maine Revised Statutes, Title 32, chapter 23-A, Hearing Aid Dealers and Fitters, to revise the requirements for the trainee permit to include a more extensive period of supervised work experience and to centralize and revise fee information to include an application fee and a separate fee for the retake of the practical examination. Language would also be revised in chapter 23-A to make it gender-neutral.

Committee Amendment "A" (H-196) proposed to add an allocation section and a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 156 amends the Maine Revised Statutes, Title 32, chapter 23-A, Hearing Aid Dealers and Fitters, to revise the requirements for the trainee permit to include a more extensive period of supervised work experience and to centralize and revise fee information to include an application fee and a separate fee for the retake of the practical examination.

LD 550**An Act to Ensure Fairness to Merchants under an Implied Warranty of Merchantability****VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK BUTLAND	OTP	

LD 550 proposed to amend the Uniform Commercial Code to provide sellers of consumer goods who are required to honor implied warranties of merchantability to their customers with recourse against the manufacturer of those goods when the defect is the fault of the manufacturer. The Legislature enacted the bill, however, the Governor vetoed the bill. The veto was sustained; and the Legislature enacted LD 1889 to accomplish the intent of LD 550 without raising the concerns outlined in the Governor's veto message.

LD 567**An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to the Livable Wage in Business Assistance Subsidies****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH PINGREE	ONTP	

LD 567 proposed to require all business assistance subsidies provided by the Department of Economic and Community Development to be directed to employers that pay at least \$11.54 per hour in direct compensation.

LD 573 **An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Law** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FSK	ONTP	

LD 573 proposed to conform Maine's Fair Debt Collection Practices Act to a recent amendment to the federal Fair Debt Collections Practices Act.

LD 584 **An Act to Repeal the Laws Regulating Naturopathic Practitioners** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL	ONTP MAJ OTP-AM MIN	

LD 584 proposed to amend the laws governing the Board of Complementary Health Care Providers to eliminate the provisions regulating the practice of naturopathic medicine.

LD 597 **An Act to Amend the Statutes Pertaining to Emergency Medical Services** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE CAREY		

LD 597 is being carried over to the Second Regular Session of the 118th Legislature. This bill proposes to amend the current laws concerning emergency medical services by:

1. Changing the reference to the course that a basic emergency medical technician must complete from one defined by the United States Department of Transportation to one defined by Maine Emergency Medical Services;
2. Expanding the definition of emergency medical services' person;
3. Expanding the monitoring power of the Emergency Medical Services' Board to include other services provided by its licensees and to define treatments or services that fall within the scope of the practice of an emergency medical services person;
4. Expanding the membership of the Emergency Medical Services' Board by three persons; and

5. Listing the criminal convictions that result in denial, suspension or revocation of an emergency medical services license.

LD 604 **An Act to Amend the Maine Veterinary Practice Act of 1975** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT MCKEE	ONTP	

LD 604 proposed to amend current law to include as recognized veterinary medicine specialties those alternative medical practices approved by the American Veterinary Medical Association. The bill also proposed to allow animal health assistants to read or interpret certain laboratory tests designated by the Maine State Board of Veterinary Medicine and allow persons to become veterinary technicians without taking college courses if they have completed an equivalent program approved by the board and passed an examination prescribed by the board. The provisions of this bill were subsequently incorporated into the committee amendment to LD 1468 (Public Law 1997, chapter 421).

LD 678 **An Act to Amend the Laws Relating to Auctioneers** **PUBLIC 183**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM	S-107

LD 678 proposed to repeal the "small auctioneer" free license category.

Committee Amendment "A" (S-107) added a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 183 repeals the "small auctioneer" free license category.

LD 686 **An Act to Streamline the Registration Process for Drug Outlets, Manufacturers and Wholesalers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE DAGGETT	ONTP	

Current law requires drug outlets, manufacturers and wholesalers to report changes in ownership or control of such an entity as well as changes in the officers of the corporation. This bill proposed to clarify that changes in the members of the board of directors, exclusive of the officers, need not be reported.

LD 687	An Act to Require Notification of Changes in Product Lines from Beverage Distributors to Redemption Centers and to Clarify Beverage Distributors' Obligation to Pick Up Containers	ONTP
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<u>Sponsor(s)</u> SNOWE-MELLO	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 687 proposed to require distributors to pick up containers when requested by dealers if the containers are empty, unbroken and reasonably clean; of the particular kind, size and brand sold by the distributor; and number at least 48. The bill would require distributors to notify redemption centers when a beverage line was discontinued or a new beverage line was added. The distributor could choose to notify redemption centers in one of two ways.

LD 690	An Act to Require That Safety Features Be Added to Hot Water Heaters and Furnaces Powered by Natural Gas	ONTP
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<u>Sponsor(s)</u> PLOWMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 690 proposed to require that sellers or installers of water heaters or furnaces that operate using natural gas for use in residences must ensure that those appliances are sold with and installed upon platforms that are at least ten inches off the floor.

LD 709	An Act to Define the Term "Occupational Therapy Practitioner" in the Laws Regulating Professions and Occupations	PUBLIC 212
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<u>Sponsor(s)</u> FULLER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-287
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LD 709 proposed to enact a new definition in the Maine Revised Statutes, Title 32, chapter 32. The new definition, "occupational therapy practitioner," would include both occupational therapists and occupational therapy assistants. The bill would also amend language to include references to occupational therapy practitioners in the chapter.

Committee Amendment "A" (H-287) proposed to clarify that an occupational therapy practitioner included a licensed occupational therapist or a certified occupational therapy assistant.

Enacted law summary

Public Law 1997, chapter 212 enacts a new definition in the Maine Revised Statutes, Title 32, chapter 32. The new definition, "occupational therapy practitioner," includes licensed occupational therapists or certified occupational therapy assistants.

LD 713

An Act to Change the Composition of the Loring Development Authority Board of Trustees

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL	ONTP	

LD 713 proposed to change the composition of the Loring Development Authority Board of Trustees by adding an additional member. The Aroostook County legislative delegation would appoint a member of the delegation to be a nonvoting, ex officio member of the board of trustees.

LD 729

An Act to Amend the Maine Pharmacy Act

PUBLIC 245

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	OTP-AM	H-288

LD 729 proposed to simplify the title of the Board of Commissioners of the Profession of Pharmacy, to include in the Maine Pharmacy Act a definition of "pharmacy technician" and to authorize the board to establish a fee, not to exceed \$25, for the annual registration of pharmacy technicians.

Committee Amendment "A" (H-288) proposed to add new sections to the bill that would have revised the law regulating generic and therapeutically equivalent substitutions for brand-name medications to increase prescription form options available to practitioners and pharmacists. The amendment would also eliminate the requirement for posting a "Top 100" list of drug prices and would replace it with a requirement that a pharmacist or pharmacy technician disclose drug prices when asked, if provided with sufficient information by the inquiring person or by the prescribing practitioner.

Enacted law summary

Public Law 1997, chapter 245 simplifies the title of the Board of Commissioners of the Profession of Pharmacy, includes in the Maine Pharmacy Act a definition of "pharmacy technician" and authorizes the board to establish a fee, not to exceed \$25, for the annual registration of pharmacy technicians. Chapter 245 also amends the law regulating generic and therapeutically equivalent substitutions for brand-name medications to increase prescription form options available to practitioners and pharmacists. The prescription pad is no longer required to have a small check-off box on it in order to be filled in the State. Chapter 245 also eliminates the requirement for posting a "Top 100" list of drug prices and replaces it with a requirement that a pharmacist or pharmacy technician disclose drug prices when asked, if provided with sufficient information by the inquiring person or by the prescribing practitioner.

LD 736**An Act to Abolish the Economic Development and Business Assistance Coordinating Council****PUBLIC 48**Sponsor(s)
ROWECommittee Report
OTPAmendments Adopted

LD 736 proposed to abolish the Economic Development and Business Assistance Coordinating Council. The council was created in 1992 but never received state funding. The council is no longer necessary in light of the recent establishment of a similar economic development organization and the formation of an economic development strategic plan at the state level.

Enacted law summary

Public Law 1997, chapter 48 abolishes the Economic Development and Business Assistance Coordinating Council. The council was created in 1992 but never received state funding. The Council is no longer necessary in light of the recent establishment of a similar economic development organization and the formation of an economic development strategic plan at the state level.

LD 737**An Act to Create a Helper Registration Category, to Exempt Certain Persons from Licensure under the Propane and Natural Gas Act and to Eliminate the Tagging Requirement****PUBLIC 270**Sponsor(s)
FARNSWORTHCommittee Report
OTP-AMAmendments Adopted
H-358

LD 737 proposed to establish a propane and natural gas apprentice registration program under the Propane and Natural Gas Act to allow a technician to hire a helper to assist in installations and maintenance of propane and natural gas equipment. This bill also proposed to exempt from licensure highway transport drivers who deliver propane to bulk plants or industrial customers.

Committee Amendment "A" (H-358) proposed to change all references to "apprentice" to "helper." This amendment would also add the words "on-site" to ensure that all work performed by a helper on-site is done under the direct and continuous supervision of a licensed individual. This amendment would repeal the tagging requirement for the installation of propane and natural gas equipment.

Enacted law summary

Public Law 1997, chapter 270 establishes a propane and natural gas helper category under the Propane and Natural Gas Act to allow a technician to hire a helper to assist in installations and maintenance of propane and natural gas equipment. All work performed by a helper on-site must be done under the direct and continuous supervision of a licensed individual. Chapter 270 exempts from licensure highway transport drivers who deliver propane to bulk plants or industrial customers. Chapter 270 also repeals the tagging requirement for the installation of propane and natural gas equipment.

LD 768

**An Act to Clarify the Right of a Real Estate Broker to a Lien on
Land, Improvements or Structures**

PUBLIC 264

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	OTP-AM MAJ OTP-AM MIN	H-323

LD 768 proposed to clarify the right of a real estate broker to a lien on land, improvements or structures to secure payment for services rendered in selling or leasing the land, improvements or structures.

Committee Amendment "A" (H-323) was the majority report of the committee. It proposed to strike reference to real estate broker action associated with leasing any interest in land, improvements or structures as subject to right of placing a lien. This proposal would be consistent with the intent of the original law passed in 1993 to include real estate brokers in this lien provision.

Enacted law summary

Public Law 1997, chapter 264 clarifies the right of a real estate broker to a lien on land, improvements or structures to secure payment for services rendered in selling the land, improvements or structures.

LD 841

**An Act to Amend the Dental Licensure Laws to Authorize Special
Permits for Instruction in Dentistry and to Identify and Rehabilitate
Impaired Dentists**

PUBLIC 107

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMERON JENKINS	OTP-AM	H-127

LD 841 proposed to enable Maine dentists to establish a professional review committee to develop and implement a comprehensive therapeutic program to address the needs of dentists who have or who may develop impairments such as alcohol abuse, psychoactive drug abuse or other dependency interfering with their practices. This bill would also amend the Dental Practice Act to allow the Board of Dental Examiners to issue limited licenses to certain instructors in board-approved continuing education programs within the State. Instruction in specialized areas may require the practice of dentistry, as defined by the Maine Revised Statutes, Title 32, section 1081, by persons who are not licensed in Maine but whose credentials otherwise make them uniquely qualified to educate Maine practitioners in certain techniques.

Committee Amendment "A" (H-127) proposed to clarify that the professional review committee would be made up of either physicians, dentists or both as circumstances warrant. This amendment proposed to add language to include all professionals licensed with the Board of Dental Examiners in provisions enabling affected individuals to obtain help with a drug or alcohol dependency issue.

Enacted law summary

Public Law 1997, chapter 107 enables Maine dentists to establish a professional review committee to develop and implement a comprehensive therapeutic program to address the needs of all professionals licensed with the Board of

Dental Examiners who have or who may develop impairments such as alcohol abuse, psychoactive drug abuse or other dependency interfering with their practices. The professional review committee would be made up of either physicians, dentists or both as circumstances warrant.

Chapter 107 allows the Board of Dental Examiners to issue limited licenses to certain instructors in board-approved continuing education programs within the State. Instruction in specialized areas may require the practice of dentistry, as defined by the Maine Revised Statutes, Title 32, section 1081, by persons who are not licensed in Maine but whose credentials otherwise make them uniquely qualified to educate Maine practitioners in certain techniques.

LD 842

**An Act to Amend the Osteopathic Licensure Laws to Clarify the
Appropriate Degree Required for Licensure**

PUBLIC 50

Sponsor(s)
CAMERON

Committee Report
OTP

Amendments Adopted

LD 842 proposed to amend the osteopathic licensure laws to clarify that the degree required for licensure is one conferred by a school or college of osteopathic medicine approved by the American Osteopathic Association.

Enacted law summary

Public Law 1997, chapter 50 amends the osteopathic licensure laws to clarify that the degree required for licensure is one conferred by a school or college of osteopathic medicine approved by the American Osteopathic Association.

LD 891

**Resolve, to Authorize and Fund an Independent Study of the
Economic Impacts of Increased Natural Gas Availability and Use in
the State**

ONTP

Sponsor(s)
KILKELLY
MADORE

Committee Report
ONTP

Amendments Adopted

LD 891 proposed to require the State Planning Office to hire an independent consultant to conduct a study of the economic consequences of increased natural gas use in Maine.

LD 904

**An Act to Clarify the Audit Requirement of the Maine State
Housing Authority**

**PUBLIC 125
EMERGENCY**

Sponsor(s)
ROWE
DONNELLY

Committee Report
OTP-AM

Amendments Adopted
H-141

LD 904 proposed to clarify that the Maine State Housing Authority's annual financial report may be prepared by the State Auditor or a qualified public accountant, which would be consistent with the preparation of financial reports of other independent authorities of the State.

Committee Amendment "A" (H-141) proposed to add an emergency preamble and emergency clause to the bill.

Enacted law summary

Public Law 1997, chapter 125 clarifies that the Maine State Housing Authority's annual financial report may be prepared by the State Auditor or a qualified public accountant, which is consistent with the preparation of financial reports of other independent authorities of the State.

Chapter 125 was enacted as an emergency measure effective April 25, 1997.

LD 994

An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISK	ONTP	

LD 994 proposed to conform the Maine Fair Debt Collection Practices Act to a recent amendment to the federal Fair Debt Collection Practices Act, 15 United States Code, Section 1692(e) (11), contained in the federal Omnibus Appropriations Act, 1997 Public Law 104-208, Section 2305.

LD 1005

An Act to Provide for the Licensing of Building Contractors

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH CATHCART	ONTP	

LD 1005 proposed to establish in the Department of Professional and Financial Regulation, Division of Licensing and Enforcement, a comprehensive register of contractors doing business in the State. The information would be available to the public.

The bill specified information that the contractor must provide and information that the department must provide the registrants to ensure that they would be aware of all applicable legal and ethical requirements for engaging in their particular business in Maine.

The registrants would be required to renew their registration annually and pay registration fees established by the department to cover the costs of administration of this law, but these requirements must be coordinated with any specific licensing or certification requirements with which the contractor must comply.

Registration would not be permitted for a contractor whose license, certification or registration has been suspended or revoked in this State or any other state unless the contractor passes a professional review.

LD 1009

An Act to Equalize the Energy Efficiency Standards for Multifamily Residential Structures Funded by Public Funds

ONTP

Sponsor(s)
MURRAY

Committee Report
ONTP

Amendments Adopted

LD 1009 proposed to repeal the law that requires higher insulation standards in multifamily residential buildings funded in whole or in part by public funds in which electric heat is installed.

LD 1025

An Act Concerning Licensing and Recertification of Licensed Counseling Professionals

PUBLIC 128

Sponsor(s)
BOLDUC
RAND

Committee Report
OTP-AM

Amendments Adopted
H-135

LD 1025 proposed to allow licensed professional counselors to renew a license lapsed due to insufficient continuing education, once the continuing education requirements had been met.

Committee Amendment "A" (H-135) proposed to clarify that the Board of Counseling Professionals Licensure would adopt rules outlining how a licensee would reactivate an inactive license. The bill's summary inaccurately noted that only licensed clinical professional counselors were eligible for inactive status. As the bill was written all counseling professionals are eligible for inactive status.

Enacted law summary

Public Law 1997, chapter 128 allows licensed professional counselors to renew a license lapsed due to insufficient continuing education, once the continuing education requirements have been met. The Board of Counseling Professionals Licensure will adopt rules outlining how a licensee can reactivate an inactive license.

LD 1049

An Act to Amend the Real Estate Brokerage Laws

PUBLIC 209

Sponsor(s)
CAMERON
JENKINS

Committee Report
OTP-AM

Amendments Adopted
H-289

LD 1049 proposed to amend the Real Estate Brokerage laws in the following ways:

1. Repeals the requirement that a home service company or sales agent obtain a license for the sale or solicitation of applications for home service contracts. It would also repeal requirements relating to required deposits, bonds and reserves.
2. Repeals the licensing requirement for timeshare agents.

3. Repeals the provisions specifying the course structure and hours required for an associate real estate broker course of study which makes the associate broker course of study consistent with the other prelicense courses approved by the Real Estate Commission.

Committee Amendment "A" (H-289) proposed to remove the sections of the bill that repeal the license requirement for timeshare agents.

Enacted law summary

Public Law 1997, chapter 209 amends the Real Estate Brokerage laws in the following ways:

1. Repeals the requirement that a home service company or sales agent obtain a license for the sale or solicitation of applications for home service contracts. It repeal requirements relating to required deposits, bonds and reserves.
2. Repeals the provisions specifying the course structure and hours required for an associate real estate broker course of study which makes the associate broker course of study consistent with the other prelicense courses approved by the Real Estate Commission.

LD 1055

Resolve, Directing the Office of Tourism and Community Development and the Maine Tourism Commission to Include Lewiston as Part of Southern or South-central Maine and Directing the Maine Turnpike Authority to Change Turnpike Signs to Accurately Reflect Access to the Sunday River Ski Area by Way of Exits 11 and 12

RESOLVE 21

Sponsor(s)
JENKINS
VIGUE

Committee Report
OTP-AM

Amendments Adopted
S-106

LD 1055 proposed to direct the Office of Tourism and Community Development and the Maine Tourism Commission to consider the City of Lewiston as part of the southern region or the south-central region of the State when recommending or implementing policy guidelines on marketing and advertising strategies for tourism growth.

Committee Amendment "A" (S-106) This amendment proposed to add a section to the resolve directing the Maine Turnpike Authority to change signs located on the southern portion of the turnpike to accurately reflect access to the Sunday River ski area by way of turnpike exits 11 and 12. The signs currently indicate turnpike exit 11 as the only gateway to the ski area.

Enacted law summary

Resolve 1997, chapter 21 directs the Office of Tourism and Community Development and the Maine Tourism Commission to consider the City of Lewiston as part of the southern region or the south-central region of the State when recommending or implementing policy guidelines on marketing and advertising strategies for tourism growth. The resolve also directs the Maine Turnpike Authority to change signs located on the southern portion of the

turnpike to accurately reflect access to the Sunday River ski area by way of turnpike exits 11 and 12. The signs currently indicate turnpike exit 11 as the only gateway to the ski area.

LD 1118

An Act to Amend the Oil and Solid Fuel Board Laws

PUBLIC 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP	

LD 1118 proposed to amend the Oil and Solid Fuel Board laws in the following ways:

1. Clarifies the requirements for a master oil burner technician license;
2. Eliminates the provision that applicants for an initial license with a term of one year or less pay only one half the biennial license fee;
3. Provides for staggered license renewals; and
4. Provides that licensees violating the provisions of laws and rules relating to the Oil and Solid Fuel Board are guilty of a Class E crime.

Enacted law summary

Public Law 1997, chapter 82 amends the Oil and Solid Fuel Board laws in the following ways:

1. Clarifies the requirements for a master oil burner technician license;
2. Eliminates the provision that applicants for an initial license with a term of one year or less pay only one half the biennial license fee;
3. Provides for staggered license renewals; and
4. Provides that licensees violating the provisions of laws and rules relating to the Oil and Solid Fuel Board are guilty of a Class E crime.

LD 1142

**An Act to Require That Only Licensed Substance Abuse Counselors
Treat Substance Abuse Problems**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAILHOT	ONTP MAJ	
NUTTING	OTP-AM MIN	

Current law allows licensed health care professionals to provide substance abuse counseling as long as that is not the only professional service the person provides. LD 1142 proposed to require the licensed professional to successfully complete examinations given by the State Board of Alcohol and Drug Counselors. This bill would also allow the State Board of Alcohol and Drug Counselors to waive examination for applicants if the National

Certification Reciprocity Consortium or a similar organization recognizes the person as having met state licensing requirements for substance abuse counselors.

LD 1151 An Act to Require the Use of Safety Bars on Chairlifts ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL JENKINS	ONTP	

LD 1151 proposed to require skiers to use safety devices on ski lifts, if the lifts are equipped with safety devices.

LD 1171 An Act to Better Inform Car Repair Customers PUBLIC 221

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND	OTP-AM	S-160

A confusing aspect of any car repair for consumers is whether the bill is based on actual labor hours or a flat-rate manual's estimate of how much time such a repair should take. LD 1171 proposed to provide customers with greater information about flat-rate billing and to help them comparison shop for the best price. It is based on findings set forth in the 1995 National Association of Attorneys General Auto Repair Task Force Report.

Committee Amendment "A" (S-160) proposed to clarify the information that must be provided by the car repair shop to the customer for greater awareness about billing procedures in order to comparison shop.

Enacted law summary

Public Law 1997, chapter 221 provides customers with greater information about flat-rate billing to help them comparison shop for the best auto repair price. It is based on findings set forth in the 1995 National Association of Attorneys General Auto Repair Task Force Report.

LD 1177 An Act to Amend the Charter of the Northern Maine Development Commission, Inc. ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	ONTP	

LD 1177 proposed to substantially amend the charter of the Northern Maine Development Commission, Inc. by establishing the General Assembly as the governing body of the commission. The bill would also provide that future revisions or amendments to the charter or a repeal of the charter may be accomplished by majority vote of the General Assembly if two thirds of the General Assembly had voted to submit proposed charter changes to a written ballot. This bill was withdrawn by the sponsor as Private & Special Law 1997, chapter 13 repealed Private & Special Law 1989, chapter 89, which this bill proposed to amend.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL BENNETT	OTP-AM	H-625

LD 1197 proposed to require a recreational vehicle franchiser to reimburse a franchisee at the retail rate customarily charged for any parts provided by a franchisee to satisfy a warranty and to reimburse a franchisee for any labor performed by the franchisee to satisfy a warranty.

Committee Amendment "A" (H-625) replaced the bill and proposed to regulate the business practices between recreational vehicle manufacturers and dealers. A recreation vehicle included, but was not limited to, a camping trailer, fifth-wheel trailer, travel trailer and truck camper.

The amendment provided essentially the same protections for recreational vehicle dealers that Maine laws extends to motor vehicle dealers. Some of the protections included:

1. Manufacturer warranty work provided by a dealer must be reimbursed by the manufacturer at the retail rate customarily charged by the dealer for the same labor when not performed for warranty work. Reimbursement to a dealer for parts to satisfy warranty work would be calculated on the dealer cost of the parts plus a 20% mark-up.
2. A dealership could not be terminated without proper notice, as described under the Maine Revised Statutes, Title 10, chapter 214-A, good faith and good cause for termination.
3. A manufacturer could not coerce a dealer to accept recreational vehicles, parts or accessories that the dealer had not ordered.
4. Affected dealers could appeal and stop with "good cause" a manufacturer's decision to establish a new dealership in another dealer's relevant market area.

Enacted law summary

Public Law 1997, chapter 427 regulates the business practices between recreational vehicle manufacturers and dealers. A recreation vehicle includes, but is not limited to, a camping trailer, fifth-wheel trailer, travel trailer and truck camper.

Public Law 1997, chapter 427 provides essentially the same protections for recreational vehicle dealers that Maine laws extend to motor vehicle dealers. Some of these protections are as follows.

1. Manufacturer warranty work provided by a dealer must be reimbursed by the manufacturer at the retail rate customarily charged by the dealer for the same labor when not performed for warranty work. Reimbursement to a dealer for parts to satisfy warranty work will be calculated on the dealer cost of the parts plus a 20% mark-up.

2. A dealership may not be terminated without proper notice, as described under the Maine Revised Statutes, Title 10, chapter 214-A, good faith and good cause for termination.
3. A manufacturer may not coerce a dealer to accept recreational vehicles, parts or accessories that the dealer has not ordered.
4. Affected dealers may appeal and stop with "good cause" a manufacturer's decision to establish a new dealership in another dealer's relevant market area.

LD 1214

An Act to Provide a Warranty for Assistive Devices for Persons with Disabilities

PUBLIC 235

Sponsor(s)
FULLER

Committee Report
OTP-AM

Amendments Adopted
H-290

LD 1214 proposed to provide a trial period and warranty for assistive devices for persons with disabilities. It would require that all assistive devices be sold subject to a 30-day trial, during which period a consumer may return the assistive device for a full refund if the assistive device had not been damaged, abused or altered by the consumer. The refund would have to be returned to the funding source if the device was purchased with insurance or public funds. The bill also proposed to require a manufacturer who sells or leases assistive devices to guarantee expressly that the assistive device is free from any condition or defect that substantially impairs its value. In the case of a sale, the warranty must be in effect at least one year after first delivery. A warranty must be in effect for the duration of a lease. The bill would require that a nonconformity reported during the warranty period be repaired at no charge to the consumer and that a comparable assistive device be loaned if the repair requires more than three days. If a reasonable attempt to repair the assistive device had been made without success, the manufacturer must accept return of the assistive device and either refund the purchase price or replace the assistive device. LD 1214 would further require that a manufacturer of an assistive device that is returned provide a clear written disclosure and description of the nonconformity to any subsequent purchaser. The bill would allow a consumer to bring an action to recover for damages caused by a violation and to collect twice the amount of a pecuniary loss, plus reasonable costs and attorney's fees. Under this bill, any waiver of rights by a consumer would be void.

Committee Amendment "A" (H-290) proposed to clarify that a warranty for an assistive device must be in effect as long as the device is used within manufacturer specifications. This amendment proposed to exempt hearing aids from the definition of assistive device as hearing aids are currently regulated by the Board of Hearing Aid Dealers and Fitters. The 30-day trial period would be amended to apply to situations in which the assistive device is not specifically fit for the consumer's particular needs. Language would be added to protect the dealer of assistive devices in situations when, upon the sale of the device, the dealer had no reasonable way of knowing the consumer would use the device as an assistive device. Additional word changes were made to clarify the intent of the bill.

Enacted law summary

Public Law 1997, chapter 235 provides a trial period and warranty for assistive devices for persons with disabilities. It requires that all assistive devices be sold subject to a 30-day trial, during which period a consumer may return the assistive device for a full refund if the assistive device has not been damaged, abused or altered by the consumer. The 30-day trial period applies to situations in which the assistive device is not specifically fit for the consumer's particular needs. A warranty for an assistive device must be in effect as long as the device is used

within manufacturer specifications. The refund must be returned to the funding source if the device was purchased with insurance or public funds. Hearing aids are exempt from the definition of assistive device as hearing aids are currently regulated by the Board of Hearing Aid Dealers and Fitters.

Public Law 1997, chapter 235 also requires a manufacturer who sells or leases assistive devices to guarantee expressly that the assistive device is free from any condition or defect that substantially impairs its value. In the case of a sale, the warranty must be in effect at least one year after first delivery. A warranty must be in effect for the duration of a lease. Chapter 235 requires that a nonconformity reported during the warranty period be repaired at no charge to the consumer and that a comparable assistive device be loaned if the repair requires more than three days. If a reasonable attempt to repair the assistive device has been made without success, the manufacturer must accept return of the assistive device and either refund the purchase price or replace the assistive device.

Chapter 235 further requires that a manufacturer of an assistive device that is returned provide a clear written disclosure and description of the nonconformity to any subsequent purchaser. It allows a consumer to bring an action to recover for damages caused by a violation of the chapter and to collect twice the amount of a pecuniary loss, plus reasonable costs and attorney's fees. Any waiver of rights by a consumer is void under this chapter. A dealer of assistive devices is protected if the dealer had no reasonable way of knowing the consumer was to use the device as an assistive device.

LD 1251 An Act to Preserve Consumer Privacy

ONTP

Sponsor(s)
VEDRAL

Committee Report
ONTP

Amendments Adopted

LD 1251 proposed to prohibit businesses from maintaining or transferring information about the purchases or habits of any individual without receiving written permission from the individual. The bill would allow the Attorney General to bring actions against violators on behalf of consumers to enjoin future violations or to recover damages. The bill would further authorize the court to impose treble damages for willful and knowing violations. Aggrieved individuals would be given a private right of action to recover damages and any other relief the court considers necessary and proper.

LD 1258 An Act Regarding People Giving Canadian Money as Change in Business Transactions

ONTP

Sponsor(s)
GOODWIN

Committee Report
ONTP

Amendments Adopted

LD 1258 proposed to limit the dispensing of Canadian currency as change to instances when a payment has first been made in Canadian currency as part of a financial or business transaction.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE	OTP-AM	H-503
CAREY		H-628 VIGUE
		H-655 VIGUE
		H-705 VIGUE

LD 1327 proposed to amend the definition of a motor vehicle in the Maine Revised Statutes, Title 10 to include recreational vehicles. This change would allow for recreational vehicles to be included in the provisions that regulate franchise practices. The bill also included specific limitations on establishing or relocating dealerships to include recreational vehicle dealers and other motor vehicle dealers. This bill proposed to amend Title 29-A to include recreational vehicles in the definition of a vehicle and makes a recreational vehicle dealer subject to the requirements for dealer licensure.

Committee Amendment "A" (H-503) replaced the bill and proposed to regulate the business practices between personal sports mobile manufacturers and dealers. A personal sports mobile includes a snowmobile, ATV or personal watercraft. The intent of the amendment was to provide essentially the same protections for personal sports mobile dealers that Maine law extends to motor vehicle dealers. Some of these protections included:

1. Manufacturer warranty work and parts provided by a dealer must be reimbursed by the manufacturer at the retail rate charged to nonwarranty customers;
2. A dealership can not be terminated without proper notice, as described under the Maine Revised Statutes, Title 10, chapter 206-B, good faith and good cause;
3. A manufacturer may not coerce a dealer to accept personal sports mobiles, parts or accessories that the dealer has not ordered; and
4. Affected dealers may appeal and stop with "good cause" a manufacturer's decision to establish a new dealership in another dealer's relevant market area.

House Amendment "A" to Committee Amendment "A" (H-628) proposed to add an emergency preamble and emergency clause to the amendment.

House Amendment "B" to Committee Amendment "A" (H-655) proposed to transfer motorcycles from the automobile dealer franchise laws to the personal sports mobile franchise laws established by the committee amendment in recognition of the fact that personal sports mobile dealers typically sell motorcycles.

House Amendment "C" to Committee Amendment "A" (H-705) proposed to make technical changes to Committee Amendment "A."

Enacted law summary

Public Law 1997, chapter 473 regulates the business practices between personal sports mobile manufacturers and dealers. A personal sports mobile is a snowmobile, ATV, motorcycle or personal watercraft. The intent of the

amendment is to provide essentially the same protections for personal sports mobile dealers that Maine law extends to motor vehicle dealers. Some of these protections are that:

1. Manufacturer warranty work and parts provided by a dealer must be reimbursed by the manufacturer at the retail rate charged to nonwarranty customers;
2. A dealership can not be terminated without proper notice, as described under the Maine Revised Statutes, Title 10, chapter 206-B, good faith and good cause;
3. A manufacturer may not coerce a dealer to accept personal sports mobiles, parts or accessories that the dealer has not ordered; and
4. Affected dealers may appeal and stop with "good cause" a manufacturer's decision to establish a new dealership in another dealer's relevant market area.

LD 1335

An Act Requiring Disclosures by Payroll Processing Companies

ONTP

Sponsor(s)
HARRIMAN

Committee Report
ONTP

Amendments Adopted

LD 1335 proposed to require payroll processing companies with a net worth of \$500,000 or less to make certain disclosures to employers who seek to use the company to process payrolls. These disclosures would include a statement indicating whether the company is bonded for fraudulent acts, audited financial statements, the net worth of the company, the functions that may be subcontracted to others and how long the company had been engaged in payroll processing. The bill would provide that a violation of the Maine Revised Statutes, Title 10, chapter 222 is a violation of the Unfair Trade Practices Act and would also constitute a civil violation.

See LD 1878, An Act to Provide Regulation for Payroll Processing Companies, a committee bill, which was enacted as Public Law 1997, chapter 495.

LD 1343

Resolve, Establishing a Blue Ribbon Commission to Study the Effect of Government Regulation on Small Businesses in Maine

**FAILED
EMERGENCY
ENACTMENT**

Sponsor(s)
MACKINNON

Committee Report
OTP-AM

Amendments Adopted

LD 1343 proposed to establish the Blue Ribbon Commission to Study the Effect of Government Regulation on Small Business in Maine.

Committee Amendment "A" (S-183) This amendment proposed to amend the resolve to revise the commission membership to include four members to be appointed by the President of the Senate and four members to be appointed by the Speaker of the House. Members to be appointed must represent the House of Representatives, the Senate, the public sector, the private sector, businesses with fewer than 50 employees and members of the Joint Standing Committee on Business and Economic Development. The amendment also included language that entitled

legislative members of the commission to legislative per diem and expenses. This amendment also added a section to the resolve that allowed the commission to seek outside sources of funding for commission-related expenses.

This bill failed emergency enactment, but a similar resolve, LD 1905, Resolve, Establishing a Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine, was enacted.

LD 1345

An Act to Amend the Public Accountancy Laws

PUBLIC 265

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN CIANCHETTE	OTP-AM	S-194

LD 1345 proposed to amend the public accounting laws in the following ways:

1. Amended and enacted definitions in the law.
2. Beginning in 2002, the educational requirements to sit for the certified public accountancy examination would be raised to include at least 150 semester hours to include basic courses in accounting and auditing.
3. The examination content would be clarified to include testing the applicant's knowledge of accounting, auditing and other related subjects that the Board of Accountancy may set by rule. The bill allowed the board to use all or any part of the Uniform Certified Public Accountant Examination.
4. Beginning in 2002, the experience requirements for licensure for all applicants, including those applicants possessing a masters degree, would be amended to include the use of accounting or auditing skills for two years under the direction of a licensee.
5. Requirements for the issuance of a certificate to practice to an individual holding credentials from a foreign designation would be established.
6. The renewal date for permits and certificates to practice for individuals and firms would be staggered.
7. The board's authority to conduct a quality review as a condition of a firm's permit renewal would be established.
8. Provisions that govern privacy of contract would be established.

Committee Amendment "A" (S-194) replaces all but section 1 of the bill. This amendment amends the public accountancy laws in the following ways.

1. Beginning in 2002, the educational requirements to sit for the certified public accountancy examination are raised to at least 150 semester hours to include basic courses in accounting and auditing.
2. The examination content is clarified to include testing the applicant's knowledge of accounting, auditing and other related subjects that the Board of Accountancy may set by rule. The amendment allows the board to use all or any part of the Uniform Certified Public Accountant Examination.

3. Examination standards for passing are outlined for certification as a public accountant.
4. Beginning in 2002, the experience requirements for licensure for all applicants, including those applicants possessing a masters degree, are amended to include the use of accounting or auditing skills for two years under the direction of a licensee.

Enacted law summary

Public Law 1997, chapter 265 amends the public accountancy laws in the following ways.

1. Beginning in 2002, the educational requirements to sit for the certified public accountancy examination are raised to at least 150 semester hours to include basic courses in accounting and auditing.
2. The examination content is clarified to include testing the applicant's knowledge of accounting, auditing and other related subjects that the Board of Accountancy may set by rule. It allows the board to use all or any part of the Uniform Certified Public Accountant Examination.
3. Examination standards for passing are outlined for certification as a certified public accountant.
4. Beginning in 2002, the experience requirements for licensure for all applicants, including those applicants possessing a masters degree, are amended to include the use of accounting or auditing skills for two years under the direction of a licensee.

LD 1405

An Act to License Timber Harvesters and Deter Timber Trespassing

CARRIED OVER

Sponsor(s)
DESMOND

Committee Report

Amendments Adopted

LD 1405 proposes requiring timber harvesters to obtain a license from the Department of Conservation, Bureau of Forestry. It provides for the revocation of a license and makes a person ineligible for a license for a period of three years if that person unlawfully cuts trees on another person's land.

LD 1427

An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients

**PUBLIC 484
EMERGENCY**

Sponsor(s)
PINGREE

Committee Report
OTP-AM

Amendments Adopted
S-342

LD 1427 proposed to establish the Quality Employment Opportunities and Business Ownership Opportunities program, a demonstration project of the Department of Human Services and the Department of Economic and Community Development. Grants would be made by the departments to eligible organizations under the program.

Committee Amendment "A" (S-342) proposed to establish the Quality Employment and Business Ownership Opportunities program. The amendment would add an emergency preamble and emergency clause and restrict eligible participants to persons receiving TANF. It would add the Department of Labor to the cooperating departments and reduce the time for the demonstration project to 2 years. It would require the departments and grantees to provide a progress report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Business and Economic Development by March 15, 1998 and a final report, including recommendations on continuation of the program, by January 15, 2000. It would add a fiscal note and provide funding of \$300,000 per year for the grant program. The law takes effect June 11, 1997.

Enacted law summary

Public Law 1997, chapter 484 comprises the provisions of the bill and the committee amendment. It establishes a 2-year pilot project, the Quality Employment and Business Ownership Opportunities program to aid persons receiving TANF assistance in obtaining employment. It requires an interim report by 3/15/98 and a final report by 1/1/2000.

LD 1430

An Act to Regulate Professional Loggers

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY		

LD 1430 proposes establishing the Maine State Board of Licensure for Professional Loggers as the regulatory body for the profession. The bill proposes qualifications for licensure including a two-year internship under the guidance of a licensed logger unless the person has graduated from an approved two-year curriculum and has completed at least two years of experience in logging work. Applicants would also have to pass a written examination approved by the board. The annual licensing fee would be determined by the board, but could not exceed \$55 annually.

Pursuant to the Maine Revised Statutes, Title 5, section 12015, subsection 3, an evaluation of the need for regulation of loggers must be completed prior to enactment of this bill.

LD 1431

Resolve, to Establish the Sister State Program

RESOLVE 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JENKINS	OTP	

LD 1431 proposed to direct the Maine State Cultural Affairs Council to identify other states and countries with similar cultural or business interests with which a reciprocal "sister state" agreement would benefit the State. The Council would report its findings and recommendations to the Legislature by March 1, 1998.

Enacted law summary

Resolve 1997, chapter 25 directs the Maine State Cultural Affairs Council to identify other states and countries with similar cultural or business interests with which a reciprocal "sister state" agreement would benefit the State. The Council must report its findings and recommendations to the Legislature by March 1, 1998.

LD 1437

Resolve, to Study the State's Regional Service Center Communities

RESOLVE 78

<u>Sponsor(s)</u> JENKINS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-159
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LD 1437 proposed to establish the Task Force on Regional Service Centers to study the feasibility of and mechanisms for establishing regional service centers throughout the State to encourage political subdivisions of the State to cooperate in business, economy, law enforcement, education and other areas. The task force would seek advice from interested officials and parties and report back to the Legislature by January 1, 1998.

Committee Amendment "A" (S-159) proposed to replace the resolve and establish the Task Force on Regional Service Center Communities to recommend ways to strengthen the State's principal service center communities, including their roles as job creators and regional service providers, and to study the feasibility of and mechanisms to encourage these communities and other political subdivisions of the State to cooperate in business, economy, law enforcement, education and other areas. The task force is directed to submit its findings and recommendations to the Legislature by January 1, 1998.

Enacted law summary

Resolves 1997, chapter 78 establishes the Task Force on Regional Service Center Communities to recommend ways to strengthen the State's principal service center communities, including their roles as job creators and regional service providers, and to study the feasibility of and mechanisms to encourage these communities and other political subdivisions of the State to cooperate in business, economy, law enforcement, education and other areas. The task force is directed to submit its findings and recommendations to the Legislature by January 1, 1998.

LD 1452

An Act to Establish the Task Force to Study Equal Economic Opportunity for All Regions of the State

P & S 51

<u>Sponsor(s)</u> JOY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-504 S-400 MICHAUD
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LD 1452 proposed to impose a moratorium on construction and development in southern Maine counties for two years, or for a lesser period of time if laws are enacted before then to provide for equal economic development opportunity for all of Maine. The bill proposed to create the Board for Equal Economic Development Opportunity to recommend laws to provide for equal economic opportunity and to study the feasibility of creating two states out of the current Maine territory.

Committee Amendment "A" (H-504) replaced the bill and proposed to establish the Task Force to Study Equal Economic Opportunity for all Regions of the State. The purpose of the task force would be to evaluate the causes of unequal economic development and recommend strategies to overcome the barriers. The task force would be required to provide an interim report by February 15, 1997 to the Joint Standing Committee on Business and Economic Development and a final report to the Governor, the Legislative Council and the Joint Standing Committee on Business and Economic Development to the First Regular Session of the 119th Legislature by November 15, 1998.

Senate Amendment "A" to Committee Amendment "A" (S-400) proposed to specify that only legislative members receive per diem and reimbursement for expenses, change the reporting date for the report, specify the number of authorized meetings and revise the appropriation section.

Enacted law summary

Private & Special Law 1997, chapter 51 establishes the Task Force to Study Equal Economic Opportunity for all Regions of the State. The purpose of the task force is to evaluate the causes of unequal economic development and recommend strategies to overcome the barriers. The task force is required to provide a final report to the Governor, the Legislative Council and the Joint Standing Committee on Business and Economic Development to the Second Regular Session of the 118th Legislature by January 1, 1998.

LD 1468

An Act to Amend the Maine Veterinary Practice Act of 1975

PUBLIC 246

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHANNON	OTP-AM	H-322

LD 1468 proposed to amend the Maine Veterinary Practice Act of 1975 to modernize and clarify definitions and other provisions, to make the language gender neutral and to revise the qualifications for reciprocal licensure to enhance the mobility of practitioners between Maine and other states with equivalent requirements for licensure.

Committee Amendment "A" (H-322) proposed to further amend the Maine Veterinary Practice Act of 1975 to include as recognized veterinary medicine specialties those alternative medical practices approved by the American Veterinary Medical Association. This amendment also proposed to allow animal health assistants to read certain laboratory tests designated by the Maine State Board of Veterinary Medicine and permit animal health assistants to perform animal health care duties when the supervising licensed veterinarian or registered veterinary technician was either on the premises or quickly and easily available.

Enacted law summary

Public Law 1997, chapter 246 amends the Maine Veterinary Practice Act of 1975 to modernize and clarify definitions and other provisions and revise the qualifications for reciprocal licensure to enhance the mobility of practitioners between Maine and other states with equivalent requirements for licensure. The law further amends the Maine Veterinary Practice Act of 1975 to include as recognized veterinary medicine specialties those alternative medical practices approved by the American Veterinary Medical Association. Animal health assistants are given the authority to read certain laboratory tests designated by the Maine State Board of Veterinary Medicine and to

perform animal health care duties when the supervising licensed veterinarian or registered veterinary technician is either on the premises or quickly and easily available.

LD 1483 An Act to License Interpreters for the Deaf and Hard-of-hearing CARRIED OVER

<u>Sponsor(s)</u> TREAT		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1483 is being carried over to the Second Regular Session of the 118th Legislature. The bill proposes to establish the Board of Licensure of American Sign Language, English Interpreting and Transliterating Professionals. Under the bill, to qualify for general licensure, a person must have at least three years of documented paid interpreting or transliteration experience with a minimum of 300 hours per year during the five years preceding the date of application and have at least 15 continuing education units approved by the board or college credit in interpreter education. Five years after the effective date of this chapter, for interpreters not previously licensed under this chapter, the requirement for licensure will be a minimum of an associates degree in interpreter education or the equivalent approved by the board.

This bill is subject to the requirement of Maine Revised Statutes, Title 5, section 12015, subsection 3 that requires any joint standing committee of the Legislature that recommends to the Legislature the regulation of an occupational profession not previously regulated must include an evaluation of the need for regulation.

LD 1506 An Act to Provide Dealership Protection to Forestry, Construction and Utility Contracts ONTP

<u>Sponsor(s)</u> JONES K		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1506 proposed to add dealers in forestry, construction or utility goods to the franchise laws for power equipment, machinery and appliances.

LD 1512 An Act Pertaining to the Real Estate Consumer's Right to Seller Disclosure Information ONTP

<u>Sponsor(s)</u> CAMPBELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1512 proposed to require the owner of real property to make disclosures to prospective buyers of the property, similar to what is currently required of a real estate broker for the seller. The bill would have required the disclosure of any material defects in the property, the type of water and waste systems used, the type of insulation and whether there are or were any hazardous materials in or on the property. If an owner failed to make the required disclosures, the buyer of the property could, at the buyer's discretion, rescind the sales contract.

LD 1525

An Act to License Massage Therapists under the Board of Complementary Health Care Providers

CARRIED OVER

<u>Sponsor(s)</u> KILKELLY WATSON	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1525 is being carried over to the Second Regular Session of the 118th Legislature. The bill proposes to repeal the two-tier certification or registration structure for massage therapists and expand the authority of the Board of Complementary Health Care Providers to include regulation of massage therapists. Under the bill, to qualify for licensure, a person must have passed the National Certification Examination for Therapeutic Massage and Bodywork or have a diploma from a school of massage therapy that is accredited by the Commission on Massage Training Accreditation/Approval or its successor organization. Provisions are outlined for existing massage practitioners to obtain licensure.

This bill is subject to the requirements of Maine Revised Statutes, Title 5, section 12015, subsection 3 which require any joint standing committee of the Legislature that recommends to the Legislature the regulation of an occupational profession not previously regulated must include an evaluation of the need for regulation.

LD 1528

An Act to Create the Community Business Bonds for Maine Program

ONTP

<u>Sponsor(s)</u> KILKELLY BERRY R	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1528 proposed to establish the Community Business Bonds Fund and the Community Business Bonds for Maine Program. This program would be administered by the Finance Authority of Maine and available to small businesses that meet eligibility criteria determined by the authority. Applications would be reviewed by an investment committee and the final funding decision will be at the discretion of the authority. Investment loans under the Community Business Bonds for Maine Program would be available in an amount no greater than \$25,000 to small businesses for any appropriate business purpose including working capital. The funding for the program would be available primarily from citizen investment in the Community Business Bonds Fund. Participating banks and credit unions would make available investment certificates in the amount of \$25 for citizen purchase that would mature in five years. Citizen purchase of investment certificates would be tax-exempt. The authority would be authorized to establish the rules necessary to carry out the purposes of this chapter.

LD 1562

An Act to Amend Professional Licensing Boards Laws

PUBLIC 210

<u>Sponsor(s)</u> JENKINS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-158
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LD 1562 proposed to allow the Office of Licensing and Registration to study jurisdictional overlap between boards and commissions and other state agencies. It clarified the authority of bureaus, boards and commissions to refuse to renew a license based on a violation of orders or consent agreements with licensees. It also repealed a duplicative reporting provision in the manufactured housing laws and made the following changes in the Maine Revised Statutes, Title 32 with respect to various professional licensing boards.

1. It increased the fee cap for the Electricians' Examining Board's examination so that the fee reflects the actual cost of the national exam.
2. It amended the State Board of Funeral Service laws to remove a restriction on inactive licensees practicing in another state.
3. It added and amended definitions in the Arborist Examining Board laws and removed language that allowed for unlicensed employees to work without direct supervision.

The bill updated and corrected an error with respect to the State Board of Alcohol and Drug Counselors and their "registered" counselor category. It also defined the appropriate use of initials for respiratory care technicians, respiratory therapists and individuals who hold valid temporary licenses. The bill added "naturopath" to the list of terms used by naturopathic doctors.

The bill proposed to amend the Board of Barbering and Cosmetology laws to: eliminate references to the Commissioner of Education; add an exemption from licensure for persons practicing the funeral service profession on human remains in a licensed funeral establishment; repeal language that referenced the board holding examinations, as that function is now performed by a contractor; and extend the permissible length of a temporary permit to accommodate the new exam schedule.

The bill also changed terminology used in the State Board of Funeral Service laws from "dead human body" to "human remains."

Committee Amendment "A" (S-158) proposed to reduce the increased fee cap of \$100 for the Electricians' Examining Board's examination to \$80.

Enacted law summary

Public Law 1997, chapter 210 amends the Maine Revised Statutes, Title 10 to allow the Office of Licensing and Registration to study jurisdictional overlap between boards and commissions and other state agencies. It clarifies the authority of bureaus, boards and commissions to refuse to renew a license based on a violation of orders or consent agreements with licensees. It also repeals a duplicative reporting provision in the manufactured housing laws.

Public Law 1997, chapter 210 makes the following changes in the Maine Revised Statutes, Title 32 with respect to various professional licensing boards.

1. It increases the fee cap for the Electricians' Examining Board's examination to \$80 so that the fee reflects the actual cost of the national exam.
2. It amends the State Board of Funeral Service laws to remove a restriction on inactive licensees practicing in another state.

3. It adds and amends definitions in the Arborist Examining Board laws and removes language that allows for unlicensed employees to work without direct supervision.
4. It updates and corrects an error with respect to the State Board of Alcohol and Drug Counselors and their "registered" counselor category.
5. It also defines the appropriate use of initials for respiratory care technicians, respiratory therapists and individuals who hold valid temporary licenses.
6. It adds "naturopath" to the list of terms used by naturopathic doctors.
7. It amends the Board of Barbering and Cosmetology laws to: eliminate references to the Commissioner of Education; add an exemption from licensure for persons practicing the funeral service profession on human remains in a licensed funeral establishment; repeal language that references the board holding examinations, as that function is now performed by a contractor; and extends the permissible length of a temporary permit to accommodate the new exam schedule.
8. It changes terminology used in the State Board of Funeral Service laws from "dead human body" to "human remains."

LD 1580 An Act to Improve Allopathic and Osteopathic Physician Oversight CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK RAND		

LD 1580 is being carried over to the Second Regular Session of the 118th Legislature. The bill proposes to increase oversight of osteopathic and allopathic doctors licensed to practice in this State. The bill increases consumer representation from three to five on the Board of Osteopathic Licensure and from three to six on the Board of Licensure in Medicine. To strengthen physician oversight, the bill creates a position of ombudsman to serve as an advocate for consumers of medical care who have filed complaints against physicians. The ombudsman will assist consumers in making and pursuing their complaints, in educating them about the purpose of the board and in ensuring that consumers get fair treatment before the board.

The committee has asked the Commissioner of Professional and Financial Regulation to convene a group of interested parties to study this issue and bring back recommendations to the Second Regular Session of the 118th Legislature.

Sponsor(s)
MITCHELL E

Committee Report
OTP-AM

Amendments Adopted
H-357
S-387 MICHAUD

LD 1589 proposed to direct the Maine Science and Technology Foundation to establish a clearinghouse for information regarding state information and information technology that would assist local governments, schools, libraries and institutions of higher education in accessing public information residing on computerized data bases of state agencies. The clearinghouse would develop standards for state agency data bases that would allow increased access to public information and listings of available information. The bill also proposed to amend the composition of the Information Services Policy Board by adding representatives of the University of Maine System and the Maine Technical College System as advisory members. Addition of these members would ensure that the computer information needs of state institutions of higher education are known and would encourage the sharing of computerized information and information technologies between educational institutions and agencies of State Government.

Committee Amendment "A" (H-357) proposed to strike the establishment of a clearinghouse for state information and technology and establish a task force to look at information technology in the public sector. The purpose of the task force was to study the ways in which information regarding the State and its agencies was being accessed and to ensure that maximum access was achievable by utilizing compatible technologies. The task force would report its findings and recommendations to the Governor, the Executive Director of the Legislative Council and the Chief Justice of the Supreme Judicial Court by November 15, 1998.

Senate Amendment "A" to Committee Amendment "A" (S-387) proposed to change the reporting date and strike the fiscal year 1998-99 appropriation.

Enacted law summary

Public Law 1997, chapter 554 amends the composition of the Information Services Policy Board by adding representatives of the University of Maine System and the Maine Technical College System as advisory members. The addition of these members is to ensure that the computer information needs of state institutions of higher education are known and to encourage the sharing of computerized information and information technologies between educational institutions and agencies of State Government. Public Law 1997, chapter 554 establishes a task force to look at information technology in the public sector. The purpose of the task force is to study the ways in which information regarding the State and its agencies is being accessed and to ensure that maximum access is achievable by utilizing compatible technologies. The task force is to report its findings and recommendations to the Governor, the Executive Director of the Legislative Council and the Chief Justice of the Supreme Judicial Court by January 1, 1998.

LD 1595**An Act to License Home Building Contractors****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART VIGUE	ONTP	

LD 1595 proposed to establish the Board of Home Building Construction to oversee the licensing of home building contractors and home construction supervisors. The board would make available educational materials for contractors and consumers, including a bill of rights, procedures for dealing with contractors and a listing of licensed contractors that included appropriate information from the contractors' application forms.

LD 1596**An Act Concerning Requirements for Payroll Processing Companies****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT COWGER	ONTP	

LD 1596 proposed to require that a payroll processing company file a fidelity bond with the Secretary of State in an amount equal to the net worth of the company. This bill also required that the payroll processing company disclose audited financial statements. The payroll processing company must file proof of a fidelity bond with its annual report. See LD 1878, An Act to Provide Regulation for Payroll Processing Companies, a committee bill, which was enacted as Public Law 1997, chapter 495.

LD 1603**Resolve, to Foster Economic Growth through the Recognition and Development of Maine's Franco-American Resource****RESOLVE 83
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS DONNELLY	OTP-AM	S-275 S-283 MURRAY S-405 MICHAUD

LD 1603 proposed to establish the Commission to Study the Development of Maine's Franco-American Resource, which would analyze the Franco-American community for demographic trends, employment patterns and interrelationships among cultural, civic, business and community organizations throughout the State. Opportunities for international trade and ways to improve markets would also be studied.

Committee Amendment "A" (S-275) proposed to allow the Commissioner of Economic and Community Development to appoint a designee to serve on the Commission to Study the Development of Maine's Franco-American Resource and also provided that the Maine Franco-American Center at the University of Maine and the Legislative Council staff would provide staffing jointly to the commission.

Senate Amendment "A" to Committee Amendment "A" (S-283) was presented on behalf of the Committee on Bills in the Second Reading to make a technical correction.

Senate Amendment "D" to Committee Amendment "A" (S-405) proposed to specify that the Maine Franco-American Center at the University of Maine would provide staff assistance for the study, clarified the number of authorized meetings and revised the appropriation section.

Enacted law summary

Resolve 1997, chapter 83 establishes the Commission to Study the Development of Maine's Franco-American Resource, which will analyze the Franco-American community for demographic trends, employment patterns and interrelationships among cultural, civic, business and community organizations throughout the State. It also will study opportunities with international trade and ways to improve markets. The Maine Franco-American Center at the University of Maine will provide staff assistance for the study and the Commission will report its findings and recommendations by December 1, 1997.

This resolve was enacted as an emergency measure effective June 12, 1997.

LD 1609

An Act Regarding Information Provided to Pharmaceutical Companies

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	ONTP MAJ	
RAND	OTP MIN	

LD 1609 proposed to prohibit pharmacists, health maintenance organizations, insurance companies or pharmaceutical wholesalers from giving information used for marketing purposes to drug companies about the prescribing practices of physicians and others who can lawfully prescribe drugs.

LD 1616

An Act to Amend the Laws Regulating Occupational Therapy Practice

PUBLIC 294

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	OTP-AM	H-282

LD 1616 proposed to incorporate the change of name of the national agency that certifies and tests occupational therapists and occupational therapy assistants; incorporate the name change of the agency that accredits occupational therapy educational programs and change related information, including definitions; correct minor language inconsistencies to improve clarity; clarify the law as it relates to temporary licensees; remove obsolete information regarding examination of occupational therapists; clarify the requirements for foreign-trained therapists to become licensed; and incorporate minor technical changes affected by changes to the national agency for certification of therapists.

Committee Amendment "A" (H-282) proposed to replace the definitions of certified occupational therapy assistant and occupational therapist in the bill. The new definitions removed the requirement that an individual be

in "good standing" with the National Board of Certification in Occupational Therapy. This amendment also allowed the board to renew a temporary license one time for a person who had failed the examination.

Enacted law summary

Public Law 1997, chapter 294 amends the laws regulating occupational therapy practice in the following ways:

1. Incorporates the change of name of the national agency that certifies and tests occupational therapists and occupational therapy assistants;
2. Incorporates the name change of the agency that accredits occupational therapy educational programs and changes related information, including definitions. The definitions of certified occupational therapy assistant and occupational therapist do not require that an individual be in "good standing" with the National Board of Certification in Occupational Therapy;
3. Clarifies the law as it relates to temporary licensees and allows the board to renew a temporary license one time for a person who has failed the examination;
4. Removes obsolete information regarding examination of occupational therapists; and
5. Clarifies the requirements for foreign-trained therapists to become licensed.

LD 1645

An Act to Establish the Maine Franco-American Center in Bangor

ONTP

Sponsor(s)
BROOKS
PARADIS

Committee Report
ONTP

Amendments Adopted

LD 1645 proposed to establish the Maine Franco-American Center in Bangor to increase the State's trade with French-speaking countries.

LD 1648

An Act to Increase Home Ownership

**PUBLIC 491
EMERGENCY**

Sponsor(s)
MITCHELL E
AMERO

Committee Report
OTP-AM

Amendments Adopted
H-281

LD 1648 proposed to increase the amount of bonds that the Maine State Housing Authority may issue that are enhanced by the State's moral obligation. These bonds are primarily used for the authority's first time home buyer program and secured by first mortgages. The State's moral obligation is not a legal debt of the State, but there is an expectation that the State would cure a default and that expectation results in reduced interest rates.

Committee Amendment "A" (H-281) proposed to add an emergency preamble, an emergency clause and a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 491 increases the amount of bonds that the Maine State Housing Authority may issue that are enhanced by the State's moral obligation. These bonds are primarily used for the authority's first time home buyer program and secured by first mortgages. The State's moral obligation is not a legal debt of the State, but there is an expectation that the State would cure a default and that expectation results in reduced interest rates.

Chapter 491 was enacted as an emergency measure effective June 11, 1997.

LD 1657

An Act to Establish the Interstate Economic Development Commission for the Northern New England States

PUBLIC 254

Sponsor(s)
LAWRENCE

Committee Report
OTP

Amendments Adopted

LD 1657 proposed to establish the framework for creation of a commission of members from Maine, New Hampshire and Vermont to investigate the opportunities to enhance economic development and tourism among these states. The commission would become active when similar legislation is enacted in New Hampshire and Vermont.

Enacted law summary

Public Law 1997, chapter 254 establishes the framework for creation of a commission of members from Maine, New Hampshire and Vermont to investigate the opportunities to enhance economic development and tourism among these states. The commission becomes active when similar legislation is enacted in New Hampshire and Vermont.

LD 1672

An Act to Ensure Proper Training for Conducting Forensic Examinations of Victims of Sexual Assault

**PUBLIC 333
EMERGENCY**

Sponsor(s)
LINDAHL
PARADIS

Committee Report
OTP-AM

Amendments Adopted
H-505

LD 1672 proposed to provide for the licensing of sexual assault nurse examiners and to require that the State Board of Nursing establish requirements, procedures and guidelines for licensing sexual assault nurse examiners.

Committee Amendment "A" (H-505) proposed to strike the licensing provisions for sexual assault nurse examiners and required that any health care professional, other than a physician, who conducted a sexual assault examination be trained in the proper procedures for the collection of evidence. Language was added to ensure that, regardless of training in evidence collection, the evidence collection results could not be excluded as evidence in any case before a court in this state.

Enacted law summary

Public Law 1997, chapter 333 requires that any health care professional, other than a physician, conducting a sexual assault examination be trained in the proper procedures for the collection of evidence. Regardless of training in evidence collection, the evidence collection results may not be excluded as evidence in any case before a court in this state.

The Business and Economic Development Committee has worked with the State Board of Nursing on issuing an advisory opinion regarding the scope of nursing practice to include the ability for a registered professional nurse (RN) to perform vaginal speculum exams and collection of specimens for cytology and/or culture. The advisory opinion to be issued by the Board of Nursing is a crucial step in the process of establishing sexual assault nurse examiner programs as RNs do not currently perform the vaginal examinations and collection of all evidence in a sexual assault examination.

Chapter 333 was enacted as an emergency measure effective May 30, 1997.

LD 1680

An Act to Amend the Real Estate Brokerage Laws

ONTP

Sponsor(s)
BENNETT

Committee Report
ONTP

Amendments Adopted

LD 1680 proposed to allow a subagent to work on the behalf of a broker who was not the designated broker for that broker as long as the subagent had obtained the approval of his or her designated broker.

LD 1697

An Act to Encourage Employee Stock Ownership

PUBLIC 217

Sponsor(s)
BRENNAN
RAND

Committee Report
OTP

Amendments Adopted

LD 1697 proposed to create a program whereby the Finance Authority of Maine would reserve \$1,000,000 of its moral obligation authority to insure up to 90% of payments with respect to loans to employees to purchase an ownership interest in the business by which they are employed.

Enacted law summary

Public Law 1997, chapter 217 requires the Finance Authority of Maine to reserve \$1,000,000 of its moral obligation authority to insure up to 90% of payments with respect to loans to employees to purchase an ownership interest in the business by which they are employed.

LD 1710**An Act to Provide for the 1997 and 1998 Allocations of the State
Ceiling on Private Activity Bonds****P & S 33
EMERGENCY**Sponsor(s)
MITCHELL E
JENKINSCommittee Report
OTPAmendments Adopted

LD 1710 proposed to establish the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 1997 and 1998. Under federal law, a maximum of \$150,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State each year. This bill proposed to allocate the state ceiling among the state-level issuers of tax-exempt bonds.

Enacted law summary

P & S Law 1997, chapter 33 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 1997 and 1998. Under federal law, a maximum of \$150,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State each year. P & S Law chapter 33 allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Chapter 33 was enacted as an emergency measure effective May 22, 1997.

LD 1723**An Act to Require Full Disclosure of Purpose of Data Collected
through the Use of Promotional Products****ONTP**Sponsor(s)
KILKELLY
TOWNSENDCommittee Report
ONTPAmendments Adopted

LD 1723 proposed to prohibit a person, organization, business, corporation, association or other entity from collecting, selling, sharing or using internally data or information about consumer spending habits to solicit business unless the consumer provided authorization for the use of the information. A card used to collect consumer spending habits information electronically could not be activated absent an explanation to the consumer about how the information collected would be used. The bill required that any significant change in the use of the information be communicated in writing to every cardholder and that a written annual report of the use of the consumer spending habits data be sent to every cardholder.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE VIGUE	OTP-AM	H-730 VIGUE S-330

LD 1747 proposed to amend several provisions of the motor vehicle dealer franchise laws to address the changing business environment among motor vehicle dealers, distributors and manufacturers.

The bill proposed to do the following:

1. It clarified several definitions;
2. It precluded a manufacturer from using a factory finance branch to engage in conduct that would otherwise be illegal;
3. It licensed manufacturers, established registration and fee requirements and authorized rules by the Secretary of State;
4. It clarified provisions concerning damages and remedies;
5. It encouraged nonbinding arbitration and mediation and confirmed the right of a dealer to bring an action in Superior Court;
6. It clarified that a franchised dealer was entitled to receive all makes and models of vehicles that the manufacturer produces for that particular franchise;
7. It included a provision that to cancel or to modify or replace a franchise agreement with a succeeding franchise agreement is unfair or coercive conduct;
8. It prohibited discriminatory conduct or threats to terminate a franchise based solely on the results of manufacturer surveys;
9. It amended the prohibition against mandatory participation in manufacturer advertisement schemes to include associations of dealers;
10. It established the standards that apply when a manufacturer exercises a right of first refusal in the transfer of a franchise to ensure that the actual agreement being assumed in the right of first refusal is the identical underlying agreement that had been made with a proposed transferee. It also provided basic protections for the proposed transferee;
11. It clarified that a manufacturer shall distribute or make available its vehicles only through dealers who have a franchise with that manufacturer;
12. It protected the rights of dealers to dual franchises and establishes criteria if a manufacturer imposes exclusive facilities requirements on a franchisee;
13. It established that it is not good cause for termination to rely exclusively on manufacturer surveys;

14. It clarified that a dealer must disclose in the course of selling a vehicle that that vehicle had been operated for demonstration purposes;
15. It included long-standing dealership general managers in survivorship rights in transfer of a dealership to a successor in interest;
16. It amended the warranty reimbursement provisions of the franchise laws. The bill clarified the standards and applied a clear formula as one method of calculating appropriate reimbursement rates. The bill also established that warranty repair may be conducted only by franchised dealers;
17. It established standards to be applied in manufacturer audits; and
18. It clarified that the public policy of the State is the protection of the transportation system, the public safety and the financial interests of the citizens in relation to the automobile industry. The bill also provided direction to the Judiciary in response to the comments of the First Circuit in Acadia Motors, Inc. v. Ford Motor Credit Company, 44 F.3d 1050 C.A. 1st, 1995, that the legislative purpose behind the elements of the law was unclear.

Committee Amendment "A" (S-330) replaced the bill. In addition to provisions of the original bill that remain, the amendment proposed to do the following.

1. It authorized the Secretary of State to conduct hearings and impose civil penalties in appropriate circumstances. The civil penalty section clarified that violations involving similar transactions that occur on a repeating basis within a 60-day period constitute a single violation. License fees authorized in the bill would be deposited in the Highway Fund.
2. It authorized mandatory nonbinding mediation as an initial step in dispute resolution.
3. It confirmed the right of a dealer to bring an action in Superior Court.
4. It clarified that a manufacturer must establish a just and equitable system for allocation of its vehicles and that that system must consider the rural environment of this State and the needs of rural dealers in this State.
5. It clarified that for a new vehicle the manufacturer may require a dealer to obtain certain tools, parts and inventory, among other things, and that any materials required to be purchased by the manufacturer may be returned by the dealer for a full refund if these materials have not been used within a two-year period.
6. It provided a process for a dealer to provide notice and to appeal the proposed modification or replacement of a franchise agreement when a manufacturer modified or replaced the franchise agreement. The manufacturer has the burden of proving that it had good cause for the modification or replacement.
7. It allowed sales or recognition program that is not tied to vehicle allocation systems or the cost of vehicles, parts or accessories.
8. It established that if a dealer is involuntarily terminated, canceled or not renewed, then the manufacturer would pay a sum equivalent to the rent for the unexpired term of the lease or for one year, whichever is less. If the dealer had more than one franchise at the dealership, the manufacturer would pay a prorated amount of rent or rental value based on the volume of sales of each franchise in that dealership.

9. It clarified that new vehicles may be distributed only to franchised new car dealers and may be sold to the public only by franchised new car dealers.
10. It required disclosure of certain damages to a new motor vehicle when that damage exceeds five percent of the manufacturer's suggested retail price.
11. It included general managers and long-standing employees with significant experience in survivorship rights in the transfer of a dealership to a successor in interest.
12. It established an 18-month time limitation on audits.
13. It specifically did not address warranty reimbursement of parts and labor in the Maine Revised Statutes, Title 10, section 1176. The Legislature is aware of the case of Acadia Motors, Inc. v. Ford Motor Credit Company, 44 F.3d 1050 (1st Cir. 1995) and other cases currently pending in the United States District Court for the District of Maine, the Maine Superior Court and the Maine District Court. The Legislature refrained from addressing warranty reimbursement provisions and warranty audit provisions of Title 10, section 1176 in light of this pending litigation. No inference should be drawn from this inaction, and this enactment should not be construed as expressing any view of the statutory language of Title 10, section 1176 or any decisions issued by courts in this State or federal courts on Title 10, section 1176. Title 10, section 1176 was amended to clarify that manufacturers may not establish warranty repair centers in this State except in certain limited situations.
14. It clarified that the public policy of this State is the protection of the transportation system, the public safety and the financial interests of its citizens in relation to the automobile industry. The Legislature does not intend that the Maine Revised Statutes, Title 10, section 1182 be utilized by the federal court or courts of this State in construing legislative intent with regard to the currently pending litigation regarding Title 10, section 1176.

House Amendment "B" to Committee Amendment "A" (H-730) corrected a typographical error and clarified that a manufacturer may not exercise a right of first refusal as a way to influence the underlying transaction subject to the right of first refusal.

Enacted law summary

Public Law 1997, chapter 521 amends several provisions of the motor vehicle dealer franchise laws to address the changing business environment among motor vehicle dealers, distributors and manufacturers. Public Law 1997, chapter 521 does the following.

1. It enacts a new definition of the term "broker" and clarifies several definitions.
2. It precludes a manufacturer from using a factory finance branch or other corporate affiliate to engage in conduct that would otherwise be illegal.
3. It licenses manufacturers, establishes registration and fee requirements, authorizes rulemaking by the Secretary of State and authorizes the Secretary of State to conduct hearings and impose civil penalties in appropriate circumstances. The civil penalty section clarifies that violations involving similar transactions that occur on a repeating basis within a 60-day period constitute a single violation. License fees collected will be deposited in the Highway Fund. Manufacturer licenses issued under the Maine Revised Statutes, Title 10, section 1171-B are subject to that section and rules adopted pursuant to that section in effect throughout the term of the license.

4. It clarifies provisions concerning damages and remedies.
5. It authorizes mandatory nonbinding mediation as an initial step in dispute resolution.
6. It confirms the right of a dealer to bring an action in Superior Court.
7. It clarifies that a manufacturer must establish a just and equitable system for allocation of its vehicles and that that system must consider the rural environment of this State and the needs of rural dealers in this State.
8. It clarifies that a franchised dealer is entitled to receive all makes and models of vehicles that the manufacturer produces for that particular franchise, that for a new vehicle the manufacturer may require a dealer to obtain certain tools, parts and inventory, among other things, and that any materials required to be purchased by the manufacturer may be returned by the dealer for a full refund if these materials have not been used within a two-year period.
9. It provides a process for a dealer to provide notice and to appeal the proposed modification or replacement of a franchise agreement when a manufacturer modifies or replaces the franchise agreement. The manufacturer has the burden of proving that it had good cause for the modification or replacement.
10. It prohibits discriminatory conduct or threats to terminate a franchise based solely on the results of manufacturer surveys. A sales or recognition program that is not tied to vehicle allocation systems or the cost of vehicles, parts or accessories is allowed. It establishes that it is not good cause for termination for a manufacturer to rely exclusively on manufacturer surveys. A survey may be used to ensure the performance of a dealer.
11. It amends the prohibition against mandatory participation in manufacturer advertisement schemes to include associations of dealers.
12. It establishes the standards that apply when a manufacturer exercises a right of first refusal in the transfer of a franchise to ensure that the actual agreement being assumed in the right of first refusal is the identical underlying agreement that had been made with a proposed transferee. It also provides basic protections for the proposed transferee.
13. It protects the rights of dealers to dual franchises and establishes criteria if a manufacturer imposes exclusive facility requirements on a franchisee.
14. It establishes that if a dealer is involuntarily terminated, canceled or not renewed, then the manufacturer shall pay a sum equivalent to the rent for the unexpired term of the lease or for one year, whichever is less. If the dealer has more than one franchise at the dealership, the manufacturer shall pay a prorated amount of rent or rental value based on the volume of sales of each franchise in that dealership.
15. It clarifies that new vehicles may be distributed only to franchised new car dealers and may be sold to the public only by franchised new car dealers.
16. It clarifies that a dealer must disclose in the course of selling a vehicle that the vehicle has been operated for demonstrator purposes and requires disclosure of certain damages to a new motor vehicle when that damage exceeds five percent of the manufacturer's suggested retail price.

17. It includes general managers and long-standing employees with significant experience in survivorship rights in the transfer of a dealership to a successor in interest.
18. It establishes an 18-month time limitation on audits.
19. It specifically does not address warranty reimbursement of parts and labor in the Maine Revised Statutes, Title 10, section 1176. The Legislature is aware of the case of Acadia Motors, Inc. v. Ford Motor Credit Company, 44 F.3d 1050 (1st Cir. 1995) and other cases currently pending in the United States District Court for the District of Maine, the Maine Superior Court and the Maine District Court. The Legislature has refrained from addressing warranty reimbursement provisions and warranty audit provisions of Title 10, section 1176 in light of this pending litigation. No inference should be drawn from this inaction, and this enactment should not be construed as expressing any view of the statutory language of Title 10, section 1176 or any decisions issued by courts in this State or federal courts on Title 10, section 1176. Title 10, section 1176 is amended to clarify that manufacturers may not establish warranty repair centers in this State except in certain limited situations.
20. It clarifies that the public policy of this State is the protection of the transportation system, the public safety and the financial interests of its citizens in relation to the automobile industry. The Legislature does not intend that the Maine Revised Statutes, Title 10, section 1182 be utilized by the federal court or courts of this State in construing legislative intent with regard to the currently pending litigation regarding Title 10, section 1176.

LD 1751

An Act to Amend the Licensure Act for Speech Pathologists and Audiologists

PUBLIC 379

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP-AM	H-506

LD 1751 proposed to change all references from "speech" to "speech-language" in the Maine Revised Statutes, Title 32, chapter 77. It created the definition for "speech-language pathology assistant," and the necessary qualifications that allow a person to practice as a speech-language pathologist and audiologist, which included a two-year associates degree. It required that a person holding this credential work under the direct supervision of a licensee and register with the board. It terminated the "speech-language pathology aide" credential by 2005. It clarified the qualifications and scope of practice for speech-language pathologists and audiologists. It also established the Board of Examiners on Speech-language Pathology and Audiology's authority to adopt rules to refine these scopes of practice within the parameters of statutory provisions.

Committee Amendment "A" (H-506) proposed to strike the provision that a person may not apply for the credential of "speech-language pathology aide" after December 31, 1997. The amendment required that a person applying for that credential after October 1, 1997 must demonstrate two years of post-secondary education and submit a training plan endorsed by a licensed speech-language pathologist. The amendment also added language that required all speech-language pathology aides to meet the eligibility requirements for a speech-language pathology assistant by January 1, 2005 in order to continue their practice of speech-language pathology. The amendment also changed the rules that pertain to the speech-language pathology assistant credential from major substantive rules to routine technical rules.

Enacted law summary

Public Law 1997, chapter 379 amends the statutes regulating speech pathologists and audiologists in the following ways:

1. Changes all references from "speech" to "speech-language" in the Maine Revised Statutes, Title 32, chapter 77.
2. Creates the definition for "speech-language pathology assistant," and the necessary qualifications that allow a person to practice as a speech-language pathologist and audiologist, which includes a two-year associates degree. It requires that a person holding this credential work under the direct supervision of a licensee and register with the board.
3. Requires that a person applying for the credential of "speech-language pathology aide" after October 1, 1997 must demonstrate two years of post-secondary education and submit a training plan endorsed by a licensed speech-language pathologist.
4. Requires all speech-language pathology aides to meet the eligibility requirements for a speech-language pathology assistant by January 1, 2005 in order to continue their practice of speech-language pathology.
5. Clarifies the qualifications and scopes of practice for speech-language pathologists and audiologists.
6. Establishes the Board of Examiners on Speech-language Pathology and Audiology's authority to adopt rules to refine these scopes of practice within the parameters of statutory provisions.

LD 1780

**An Act to Amend the Finance Authority of Maine Act and the
Adaptive Equipment Loan Program**

PUBLIC 489

Sponsor(s)
JENKINS
VIGUE

Committee Report
OTP-AM

Amendments Adopted
S-247

LD 1780 proposed to make changes to the laws governing the Adaptive Equipment Loan Program Fund Board and the Finance Authority of Maine. It proposed to repeal an ambiguous provision requiring that 75% of the loans made from the Adaptive Equipment Loan Program Fund be made to individuals and further requiring that all for-profit entities receiving a loan obtain at least 50% of the total project costs from sources other than the fund, and proposed to replace the provision with a directive that the board adopt rules setting forth a preference for individuals with disabilities to receive loans and requiring that for-profit loan recipients provide a portion of project costs from sources other than the Adaptive Equipment Loan Program Fund. It would have updated the list of education loan programs the authority administers. It restated the existing provisions with regard to the amount of bonds supported by the moral obligation of the State that the authority may issue to include up to \$264,000,000 for electric rate stabilization projects, \$120,000,000 for major business expansion projects, \$57,000,000 for workers' compensation residual market mechanism projects and up to \$150,000,000 minus the aggregate outstanding amount of mortgage loans secured by capital reserve funds pursuant to the Maine Revised Statutes, Title 10, section 1032 for all other projects. It was not intended that this bill have any effect on any revenue obligation securities issued at any time pursuant to Title 10, section 1053, subsection 5.

Committee Amendment "A" (S-247) proposed to change the membership requirements of the Adaptive Equipment Loan Program Fund Board to include a designee of the Bureau of Rehabilitation Services instead of a designee of the Department of Education since the bureau was transferred to the Department of Labor.

The amendment further clarified that all business entities are eligible for adaptive equipment loans. It included a requirement that the board adopt rules setting forth a preference for individuals with disabilities to receive loans for personal purposes. This amendment also allowed a subcommittee of the Adaptive Equipment Loan Program Fund Board to approve applications for loans of \$2,500 or less and emergency applications. Outside contractors under contract with the board could also approve loans of less than \$2,500.

The amendment changes the definition of veteran to include any individual who has served in the United States Armed Forces and included a separate definition of a wartime veteran under Finance Authority of Maine law.

The amendment expanded the Finance Authority of Maine's ability to insure loans to veterans by allowing the authority to insure 100% for a loan of up to \$75,000 for any person who has served in the United States Armed Forces or up to \$125,000 for wartime veterans.

The amendment further clarified that the authority may charge interest on Teachers for Maine loans that are not forgiven by return service.

The amendment deleted sections of the bill that had been enacted by Public Law 1997, chapter 97, sections 1 to 4.

Enacted law summary

Public Law 1997, chapter 489 makes changes to the laws governing the Adaptive Equipment Loan Program Fund Board and the Finance Authority of Maine.

It repeals an ambiguous provision requiring that 75% of the loans made from the Adaptive Equipment Loan Program Fund be made to individuals and further requiring that all for-profit entities receiving a loan obtain at least 50% of the total project costs from sources other than the fund, and replaces the provision with a directive that the board adopt rules setting forth a preference for individuals with disabilities to receive loans and requiring that for-profit loan recipients provide a portion of project costs from sources other than the Adaptive Equipment Loan Program Fund.

It changes the membership requirements of the Adaptive Equipment Loan Program Fund Board to include a designee of the Bureau of Rehabilitation Services instead of a designee of the Department of Education since the bureau was transferred to the Department of Labor.

It clarifies that all business entities are eligible for adaptive equipment loans. It includes a requirement that the board adopt rules setting forth a preference for individuals with disabilities to receive loans for personal purposes. This amendment also allows a subcommittee of the Adaptive Equipment Loan Program Fund Board to approve applications for loans of \$2,500 or less and emergency applications. Outside contractors under contract with the board may also approve loans of less than \$2,500.

It amends the Finance Authority of Maine Act to change the definition of veteran to include any individual who has served in the United States Armed Forces and include a separate definition of a wartime veteran. It expands the

Finance Authority of Maine's ability to insure loans to veterans by allowing the authority to insure 100% for a loan of up to \$75,000 for any person who has served in the United States Armed Forces or up to \$125,000 for wartime veterans.

It clarifies that the authority may charge interest on Teachers for Maine loans that are not forgiven by return service.

It restates the existing provisions with regard to the amount of bonds supported by the moral obligation of the State that the authority may issue to include up to \$264,000,000 for electric rate stabilization projects, \$120,000,000 for major business expansion projects, \$57,000,000 for workers' compensation residual market mechanism projects and up to \$150,000,000 minus the aggregate outstanding amount of mortgage loans secured by capital reserve funds pursuant to the Maine Revised Statutes, Title 10, section 1032 for all other projects. It is not intended that this bill have any effect on any revenue obligation securities issued at any time pursuant to Title 10, section 1053, subsection 5.

LD 1796

An Act to Provide Licensing for Micropigmentation Practitioners

PUBLIC 383

Sponsor(s)
TUTTLE

Committee Report
OTP-AM

Amendments Adopted
H-507

LD 1796 proposed to repeal current law regulating tattooing and to provide a licensing framework within the Department of Human Services for micropigmentation practice, which included the art of tattooing.

Committee Amendment "A" (H-507) proposed to retain the chapter regulating tattoo artists and established a separate licensing structure for those engaging in the practice of micropigmentation.

The Department of Human Services would be granted rulemaking authority to govern the practice of micropigmentation and given a deadline of November 1, 1997 for establishing licensing rules, including standards of practice, education and training requirements.

The amendment would require that licenses must be renewed every two years. The licensing fee, not to exceed \$50, would include a biennial inspection of the micropigmentation facility by the Department of Human Services. Individuals engaged in the practice of micropigmentation in the State would be required to comply with the rules of the Department by January 1, 1998.

Enacted law summary

Public Law 1997, chapter 383 establishes a separate licensing structure for those engaging in the practice of micropigmentation. The Department of Human Services is given rulemaking authority to govern the practice of micropigmentation and must establish licensing rules by November 1, 1997, including standards of practice, education and training requirements. Public Law 1997, chapter 383 requires that licenses for the practice of micropigmentation must be renewed every two years. The licensing fee, not to exceed \$50, includes a biennial inspection of the micropigmentation facility by the Department of Human Services. Individuals engaging in the practice of micropigmentation in the State must comply with the rules of the Department by January 1, 1998.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CIANCHETTE	ONTP	

LD 1831 proposed to amend the laws governing debt collection activities by prohibiting a debt collector from contacting a debtor under the following circumstances:

1. When the debtor was represented by an attorney;
2. By using forms that give the appearance of judicial process;
3. By indicating that an obligation may be increased by attorney's fees;
4. By collecting interest unless approved by a court order;
5. By indicating that nonpayment of the debt will result in arrest; and
6. By attempting to collect the debt by abusive collection techniques.

The bill also specified the days a debt collector may call a consumer; calls on Sundays would have been prohibited.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON	OTP-AM	H-437

LD 1844 proposed to provide that for purposes of the Professional Service Corporation Act, optometrists licensed under the Maine Revised Statutes, Title 32, chapter 34-A and ophthalmologists licensed under Title 32, chapter 48 would be considered to render the same professional service in order to allow those professionals to be shareholders of the same professional corporation.

Committee Amendment "A" (H-437) accomplished the same goal of allowing optometrists and ophthalmologists to practice together in a professional corporation without defining their services to be the same. A technical reference was corrected in the amendment as a ophthalmologist may be licensed under the Board of Licensure in Medicine, Title 32, chapter 48, or under the Board of Osteopathic Licensure, Title 32, chapter 36.

Enacted law summary

Public Law 1997, chapter 313 provides that for the purposes of the Professional Services Corporation Act, optometrists and ophthalmologists may organize and become the sole shareholders of the same professional corporation in order to provide their respective complementary professional services.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	OTP-AM MAJ	S-326
	ONTP MIN	S-417 MICHAUD

LD 1854 proposed to establish the Maine Economic Improvement Fund to provide funding for applied research and development in five target areas and to provide funding to match funds and grants from private and federal sources.

The source of the funding would be an annual General Fund appropriation not to exceed \$20,000,000. This amount would be obtained through a decrease in transfers of the unappropriated surplus of the General Fund to the Maine Rainy Day Fund and the Retirement Allowance Fund to 40% and 20%, respectively. The Maine Economic Improvement Fund, under this bill, must receive 20% of the unappropriated surplus. The bill also proposed to establish the Maine Economic Improvement Task Force to review policies and programs in support of applied research and development in the five target areas and to create a plan to be submitted to the Legislature for the coordination and maximization of these policies and programs. The five target areas are aquaculture and marine sciences and technology, biotechnology, composite materials engineering, environmental sciences and technology and information sciences and technology.

The purpose of this investment is to spur economic growth through the development and support of new technologies and related businesses.

Committee Amendment "A" (S-326) proposed to add an additional member to the Maine Economic Improvement Task Force representing the Maine Maritime Academy. The amendment also would amend the compensation for participation on the task force to include legislative members as entitled to legislative per diem and expenses.

Senate Amendment "B" (S-417) This amendment proposed to strike the provision in the bill that provided as one funding mechanism for the Maine Economic Improvement Fund, annual transfers from the unappropriated surplus of the General Fund and also to remove language requiring General Fund appropriations to the fund.

Enacted law summary

Public Law 1997, chapter 556 establishes the Maine Economic Improvement Fund to provide funding for applied research and development in five target areas and to provide funding to match funds and grants from private and federal sources. The source of funding for the Maine Economic Improvement Fund is not specified.

The five target areas are aquaculture and marine sciences and technology, biotechnology, composite materials engineering, environmental sciences and technology and information sciences and technology. The purpose of this investment is to spur economic growth through the development and support of new technologies and related businesses.

Chapter 556 also establishes the Maine Economic Improvement Task Force to review policies and programs in support of applied research and development in the five target areas mentioned previously. A plan is to be submitted by the task force by January 1, 1998 that coordinates and maximizes the utility of these programs and policies. See SPO669 which proposed a similar study of the issue..

Sponsor(s)
PINGREE

Committee Report
OTP

Amendments Adopted

LD 1872 proposed to remove obsolete references to initial appointments to the Maine Economic Growth Council and to remove the restriction on members serving for more than one three-year term.

Enacted law summary

Public Law 1997, chapter 425 removes obsolete references to initial appointments to the Maine Economic Growth Council and removes the restriction on members serving for more than one three-year term.

Sponsor(s)

Committee Report

Amendments Adopted

LD 1878 was a committee bill reported pursuant to joint order. The bill proposed to require that all payroll processing companies that conduct business in the State register on an annual basis with the State Tax Assessor by January 30th. This bill also required payroll processing companies that handle client funds to make certain disclosures to each employer for which it provides payroll processing services. The disclosures are to be made at the time of contracting and then by September 1st of each even-numbered year. Penalties were established for failure to register and failure to provide disclosure. Failure to register with the State Tax Assessor would be a civil violation for which a penalty of not less than \$500 nor more than \$2,500 may be assessed. Failure to provide disclosures to employers would be a civil violation for which a forfeiture of not less than \$50 nor more than \$250 may be assessed. Criminal penalties for misuse of entrusted property by payroll processing companies were increased.

The bill proposed to authorize the State Tax Assessor to perform audits of payroll processing companies and their clients. The assessor was also given authority to apply for an injunction from doing business for any payroll processing company that fails to account for, pay over or make returns of tax required by the Maine Revised Statutes, Title 36, chapter 827.

Enacted law summary

Public Law 1997, chapter 495 requires that all payroll processing companies that conduct business in the State register on an annual basis with the State Tax Assessor by January 30th. This bill also requires payroll processing companies that handle client funds to make certain disclosures to each employer for which it provides payroll processing services. The disclosures are to be made at the time of contracting and then by September 1st of each even-numbered year. Penalties are established for failure to register and failure to provide disclosure. Failure to register with the State Tax Assessor is a civil violation for which a penalty of not less than \$500 nor more than \$2,500 may be assessed. Failure to provide disclosures to employers is a civil violation for which a forfeiture of not less than \$50 nor more than \$250 may be assessed. Criminal penalties for misuse of entrusted property by payroll processing companies are increased.

Public Law 495 authorizes the State Tax Assessor to perform audits of payroll processing companies and their clients. The assessor is also given authority to apply for an injunction from doing business for any payroll processing company that fails to account for, pay over or make returns of tax required by the Maine Revised Statutes, Title 36, chapter 827.

LD 1889

An Act to Provide Warranty Reimbursement Protection for Retailers

PUBLIC 497

Sponsor(s)

Committee Report

Amendments Adopted

LD 1889 was a committee bill reported pursuant to joint order. The bill proposed to amend the Uniform Commercial Code to ensure that a retail seller of consumer goods and services would be eligible for reimbursement from the prior seller or manufacturer of the consumer good or service should the retail seller provide a consumer reimbursement or return to honor an implied warranty of merchantability. The bill specified that a violation under this legislation is not a violation of the Maine Unfair Trade Practices Act. The bill was a committee bill reported by the committee pursuant to joint order.

Enacted law summary

Public Law 1997, chapter 497 amends the Uniform Commercial Code to ensure that a retail seller of consumer goods and services be eligible for reimbursement from the prior seller or manufacturer of the consumer good or service should the retail seller provide a consumer reimbursement or return to honor an implied warranty of merchantability. Public Law 497 specifies that a violation under this legislation is not a violation of the Maine Unfair Trade Practices Act.

LD 1900

Resolve, Appropriating Funds to the Maine Franco-American Center

INDEF PP

Sponsor(s)
MICHAUD

Committee Report

Amendments Adopted

LD 1900 proposed to repeal the Commission to Study the Development of Maine's Franco-American Resource. (See LD 1603) It instead would have provided funds to support the Maine Franco-American Center at the University of Maine. This resolve, which was introduced without reference to committee, was indefinitely postponed in both houses.

LD 1905

Resolve, Establishing a Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine

RESOLVE 85

Sponsor(s)
MACKINNON

Committee Report

Amendments Adopted
H-777 VIGUE

LD 1905 proposed to establish the Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses. This resolve was introduced without reference to committee.

Enacted law summary

Resolve 1997, chapter 85 establishes the Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses.

Joint Standing Committee on Business and Economic Development

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LD 1506	An Act to Provide Dealership Protection to Forestry, Construction and Utility Contracts	ONTP	Page 137
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Economic Development - Job Creation

Enacted

LD 1427	An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients	PUBLIC 484 EMERGENCY	Page 133 369
LD 1437	Resolve, to Study the State's Regional Service Center Communities	RESOLVE 78	Page 134

Not Enacted

LD 567	An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to the Livable Wage in Business Assistance Subsidies	ONTP	Page 114
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Business Development - Business Assistance

Enacted

LD 330	Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Microenterprise Needs	RESOLVE 23	Page 109
LD 736	An Act to Abolish the Economic Development and Business Assistance Coordinating Council	PUBLIC 48	Page 118
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Not Enacted

LD 567	An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to the Livable Wage in Business Assistance Subsidies	ONTP	Page 114
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Enacted

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LD 1055	Resolve, Directing the Office of Tourism and Community Development and the Maine Tourism Commission to Include Lewiston as Part of Southern or South-central Maine and Directing the Maine Turnpike Authority to Change Turnpike Signs to Accurately Reflect Access to the Sunday River Ski Area by Way of Exits 11 and 12	RESOLVE 21	Page 124
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LD 891	Resolve, to Authorize and Fund an Independent Study of the Economic Impacts of Increased Natural Gas Availability and Use in the State	ONTP	Page 121
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LD 1645	An Act to Establish the Maine Franco-American Center in Bangor	ONTP	Page 143
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Economic Development - Other

Enacted

LD 285	An Act to Repeal the Task Force on Defense Realignment and the Economy	PUBLIC 15	Page 108
LD 1055	Resolve, Directing the Office of Tourism and Community Development and the Maine Tourism Commission to Include Lewiston as Part of Southern or South-central Maine and Directing the Maine Turnpike Authority to Change Turnpike Signs to Accurately Reflect Access to the Sunday River Ski Area by Way of Exits 11 and 12	RESOLVE 21	Page 124
LD 1431	Resolve, to Establish the Sister State Program	RESOLVE 25	Page 134
LD 1589	An Act to Amend the Composition of the Information Services Policy Board and Establish a Task Force on Information Technology in the Public Sector	PUBLIC 554	Page 140
LD 1648	An Act to Increase Home Ownership	PUBLIC 491 EMERGENCY	Page 144
LD 1697	An Act to Encourage Employee Stock Ownership	PUBLIC 217	Page 146
LD 1872	An Act to Make Changes to the Maine Economic Growth Council	PUBLIC 425	Page 157

Not Enacted

LD 1177	An Act to Amend the Charter of the Northern Maine Development Commission, Inc.	ONTP Page 126
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Occupational and Professional Regulation

Enacted

LD 32	An Act to Grandfather Ambulance Attendants from Additional Rulemaking	PUBLIC 26 Page 104
LD 204	Resolve, to Authorize the Electricians' Examining Board to Study the Need for Continuing Education Among Helper Electricians	RESOLVE 16 Page 106
LD 426	An Act to Amend the Employee Leasing Company Registration Process	PUBLIC 29 Page 110
LD 481	An Act to Regulate Body Piercing	PUBLIC 206 Page 110
LD 508	An Act to Increase the Certification Fee Cap for the Board of Geologists and Soil Scientists	PUBLIC 141 Page 111
LD 539	An Act to Clarify the Laws Regarding the Board of Licensure in Medicine and Ensure That Physician Discipline Is Reported to the Appropriate Licensing Board	PUBLIC 271 Page 111
LD 541	An Act to Amend the Laws Regarding the Licensure of Hearing Aid Dealers and Fitters	PUBLIC 156 Page 113
LD 678	An Act to Amend the Laws Relating to Auctioneers	PUBLIC 183 Page 115
LD 709	An Act to Define the Term "Occupational Therapy Practitioner" in the Laws Regulating Professions and Occupations	PUBLIC 212 Page 117
LD 729	An Act to Amend the Maine Pharmacy Act	PUBLIC 245 Page 117
LD 737	An Act to Create a Helper Registration Category, to Exempt Certain Persons from Licensure under the Propane and Natural Gas Act and to Eliminate the Tagging Requirement	PUBLIC 270 Page 118
LD 768	An Act to Clarify the Right of a Real Estate Broker to a Lien on Land, Improvements or Structures	PUBLIC 264 Page 119

LD 841	An Act to Amend the Dental Licensure Laws to Authorize Special Permits for Instruction in Dentistry and to Identify and Rehabilitate Impaired Dentists	PUBLIC 107	Page 119
LD 842	An Act to Amend the Osteopathic Licensure Laws to Clarify the Appropriate Degree Required for Licensure	PUBLIC 50	Page 120
LD 1025	An Act Concerning Licensing and Recertification of Licensed Counseling Professionals	PUBLIC 128	Page 122
LD 1049	An Act to Amend the Real Estate Brokerage Laws	PUBLIC 209	Page 123
LD 1118	An Act to Amend the Oil and Solid Fuel Board Laws	PUBLIC 82	Page 124
LD 1345	An Act to Amend the Public Accountancy Laws	PUBLIC 265	Page 131
LD 1468	An Act to Amend the Maine Veterinary Practice Act of 1975	PUBLIC 246	Page 136
LD 1562	An Act to Amend Professional Licensing Boards Laws	PUBLIC 210	Page 138
LD 1616	An Act to Amend the Laws Regulating Occupational Therapy Practice	PUBLIC 294	Page 143
LD 1672	An Act to Ensure Proper Training for Conducting Forensic Examinations of Victims of Sexual Assault	PUBLIC 333 EMERGENCY	Page 145
LD 1751	An Act to Amend the Licensure Act for Speech Pathologists and Audiologists	PUBLIC 379	Page 152
LD 1796	An Act to Provide Licensing for Micropigmentation Practitioners	PUBLIC 383	Page 154
<u>Not Enacted</u>			
LD 421	An Act to Grandfather Certain Practicing Naturopathic Doctors	ONTP	Page 109
LD 584	An Act to Repeal the Laws Regulating Naturopathic Practitioners	ONTP	Page 114
LD 597	An Act to Amend the Statutes Pertaining to Emergency Medical Services	CARRIED OVER	Page 114
LD 604	An Act to Amend the Maine Veterinary Practice Act of 1975	ONTP	Page 115

LD 690	An Act to Require That Safety Features Be Added to Hot Water Heaters and Furnaces Powered by Natural Gas	ONTP	Page 116
LD 1005	An Act to Provide for the Licensing of Building Contractors	ONTP	Page 122
LD 1142	An Act to Require That Only Licensed Substance Abuse Counselors Treat Substance Abuse Problems	ONTP	Page 125
LD 1405	An Act to License Timber Harvesters and Deter Timber Trespassing	CARRIED OVER	Page 20 133
LD 1430	An Act to Regulate Professional Loggers	CARRIED OVER	Page 21 134
LD 1483	An Act to License Interpreters for the Deaf and Hard-of-hearing	CARRIED OVER	Page 136
LD 1512	An Act Pertaining to the Real Estate Consumer's Right to Seller Disclosure Information	ONTP	Page 137
LD 1525	An Act to License Massage Therapists under the Board of Complementary Health Care Providers	CARRIED OVER	Page 137
LD 1580	An Act to Improve Allopathic and Osteopathic Physician Oversight	CARRIED OVER	Page 140
LD 1595	An Act to License Home Building Contractors	ONTP	Page 141
LD 1680	An Act to Amend the Real Estate Brokerage Laws	ONTP	Page 145

Health Related

Enacted

LD 217	An Act to Amend the Optometry Licensing Laws and to Allow Maine Citizens to Fill Contact Lens Prescriptions through the Mail	PUBLIC 117	Page 107
LD 481	An Act to Regulate Body Piercing	PUBLIC 206	Page 110
LD 539	An Act to Clarify the Laws Regarding the Board of Licensure in Medicine and Ensure That Physician Discipline Is Reported to the Appropriate Licensing Board	PUBLIC 271	Page 111

LD 709	An Act to Define the Term "Occupational Therapy Practitioner" in the Laws Regulating Professions and Occupations	PUBLIC 212	Page 117
LD 729	An Act to Amend the Maine Pharmacy Act	PUBLIC 245	Page 117
LD 842	An Act to Amend the Osteopathic Licensure Laws to Clarify the Appropriate Degree Required for Licensure	PUBLIC 50	Page 120
LD 1616	An Act to Amend the Laws Regulating Occupational Therapy Practice	PUBLIC 294	Page 143
LD 1672	An Act to Ensure Proper Training for Conducting Forensic Examinations of Victims of Sexual Assault	PUBLIC 333 EMERGENCY	Page 145
LD 1796	An Act to Provide Licensing for Micropigmentation Practitioners	PUBLIC 383	Page 154

Not Enacted

LD 686	An Act to Streamline the Registration Process for Drug Outlets, Manufacturers and Wholesalers	ONTP	Page 116
LD 1580	An Act to Improve Allopathic and Osteopathic Physician Oversight	CARRIED OVER	Page 140
LD 1609	An Act Regarding Information Provided to Pharmaceutical Companies	ONTP	Page 142

Housing

Enacted

LD 266	An Act to Conform State Laws Regarding Fair Housing for Older Persons with Federal Laws	PUBLIC 85	Page 108
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Not Enacted

LD 390	An Act Requiring Masonry Work to Comply with State and Local Building and Fire Codes	ONTP	Page 109
LD 1009	An Act to Equalize the Energy Efficiency Standards for Multifamily Residential Structures Funded by Public Funds	ONTP	Page 122

LD 1512	An Act Pertaining to the Real Estate Consumer's Right to Seller Disclosure Information	ONTP	Page 137
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Data Collection - Privacy Issues

Enacted

None

Not Enacted

LD 1251	An Act to Preserve Consumer Privacy	ONTP	Page 129
LD 1609	An Act Regarding Information Provided to Pharmaceutical Companies	ONTP	Page 142
LD 1723	An Act to Require Full Disclosure of Purpose of Data Collected through the Use of Promotional Products	ONTP	Page 147

Construction

Enacted

None

Not Enacted

LD 390	An Act Requiring Masonry Work to Comply with State and Local Building and Fire Codes	ONTP	Page 109
LD 1005	An Act to Provide for the Licensing of Building Contractors	ONTP	Page 122
LD 1595	An Act to License Home Building Contractors	ONTP	Page 141

Debt Collection

Enacted

None

Not Enacted

LD 573	An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Law	ONTP	Page 114
LD 994	An Act to Conform the Maine Fair Debt Collection Practices Act to Federal Laws	ONTP	Page 121
LD 1831	An Act to Amend the Laws Governing Debt Collection Activities	ONTP	Page 155

Miscellaneous**Enacted**

LD 426	An Act to Amend the Employee Leasing Company Registration Process	PUBLIC 29	Page 110
LD 904	An Act to Clarify the Audit Requirement of the Maine State Housing Authority	PUBLIC 125 EMERGENCY	Page 121
LD 1589	An Act to Amend the Composition of the Information Services Policy Board and Establish a Task Force on Information Technology in the Public Sector	PUBLIC 554	Page 140
LD 1710	An Act to Provide for the 1997 and 1998 Allocations of the State Ceiling on Private Activity Bonds	P & S 33 EMERGENCY	Page 146
LD 1780	An Act to Amend the Finance Authority of Maine Act and the Adaptive Equipment Loan Program	PUBLIC 489	Page 153

Not Enacted

LD 713	An Act to Change the Composition of the Loring Development Authority Board of Trustees	ONTP	Page 117
LD 1151	An Act to Require the Use of Safety Bars on Chairlifts	ONTP	Page 125
LD 1258	An Act Regarding People Giving Canadian Money as Change in Business Transactions	ONTP	Page 129

